

Closed Caption Log, Council Meeting. 3/26/2009

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MAYOR WYNN: GOOD MORNING. I'M AUSTIN MAYOR, WILL WYNN. IT'S MY PRIVILEGE TO WELCOME BROTHER JAMES COLLIE, WHO PASTORS THE CAPITAL CITY CHURCH OF CHRIST TO LEAD US IN OUR INVOCATION. PLEASE RISE. PASTOR?

OUR FATHER, WHO ART IN HEAVEN, HALLOWED BE THY NAME. FATHER, WE PRAY AND BY OUR ACTIONS WE SEEK TO GIVE REVERENCE AND HONOR AND PRAISE TO YOUR NAME. FATHER, WE'RE THANKFUL, ESPECIALLY, THAT YOU KNOW US AND THAT YOU CALL EACH OF US BY OUR OWN NAME, THAT TRULY WE HAVE AN OPPORTUNITY TO HAVE COMMUNION, THE HUMAN, WITH THE DIVINE. WHILE WE REALIZE THAT BEYOND LIVING IN THE CITY LIMITS OF AUSTIN, TEXAS, IN TRUTH, FATHER, WE LIVE AND MOVE AND HAVE OUR VERY BEING IN YOU. AND BEFORE THE MOUNTAINS WERE FORMED OR THE HILLS BROUGHT FORTH, EVEN FROM EVERLASTING TO EVERLASTING, THOU ART GOD. AND WE'RE THANKFUL THAT YOUR EYES ARE OVER US AND YOUR EARS ARE OPEN TO OUR PRAYERS. FATHER, WE'RE THANKFUL THAT WE CAN BE CALLED BY YOUR NAME. WE REALIZE THAT THE PEACEMAKERS SHALL BE CALLED THE CHILDREN OF GOD, AND WE'RE THANKFUL FOR THESE NEIGHBORS AND COUNCIL MEMBERS THAT BRING A SENSE OF PEACE AND WELL BEING AND ORDER AND SECURITY TO OUR COMMUNITY. WE'RE THANKFUL FOR THEIR WORK AS PEACEMAKERS, HELPING TO MITIGATE THE COMPETING INTERESTS OF THE DIFFERENT MEMBERS OF OUR COMMUNITY AND HELPING TO RECONCILE EACH ONE'S PURPOSE TO YOUR WILL AND PLAN. AND, FATHER, WE'RE THANKFUL TOO THAT WE CAN GO FORTH TO WORK IN YOUR NAME, IN THIS SPRINGTIME, AT THIS TIME OF RENEWAL AND REFRESHING, WE'RE THANKFUL WE CAN WORK WITH YOU AND IN YOUR NAME TO GO ABOUT TO EXTEND YOUR CREATION. WE'RE THANKFUL FOR THE STEWARDSHIP YOU HAVE GIVEN US TO EXTEND TO ALL OF YOUR CREATION AND YOUR CREATURES, AND, FATHER, WHETHER WE HAVE A LITTLE GARDEN ON THE WHITE HOUSE LAWN, AND MS. OBAMA, OR WHETHER WE HAVE A BIG GARDEN IN THE MIDDLE OF OUR CITY ABOUT THE LAKE, AS MS. JOHNSON LEFT US, HELP US TO LOOK ON THEIR EXAMPLES AND THE EXAMPLES OF THESE PEOPLE GATHERED TODAY TO DO OUR PART TO CONTINUE THE WORK OF RENEWAL AND REFRESHING AND BEING A KEEPER NOT ONLY OF THE STEWARDSHIP OF YOUR CREATION AND YOUR CREATURES BUT ALSO A KEEPER OF THE INTERESTS OF ONE ANOTHER. BLESS OUR COMMUNITY. BLESS THIS COUNCIL, AND BLESS EACH OF US TO DO JUST THOSE THINGS. FOR THIS WE ASK IN THE

MASTER'S NAME, AMEN.

MAYOR WYNN: THANK YOU, BROTHER COLLIE. THE CAPITAL CITY CHURCH OF CHRIST WORSHIPS DOWN OFF EAST OLTORF, A BLOCK OR SO EAST OF I 35. THEY USED TO BE LOCATED ON CONGRESS AVENUE NEAR 8TH STREET NEAR THE OLD CITY HALL. SO PLEASED TO HAVE YOU BACK. THERE BEING A QUORUM PRESENT AT THIS TIME I'LL WALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. IT'S APPROXIMATELY 10:30 A.M. WE ARE IN THE CITY COUNCIL CHAMBERS OF THE CITY HALL BUILDING, 301 WEST 2ND STREET. AS I WALK THROUGH THE CHANGES TO THE POSTED AGENDA, WE TRY TO TAKE THIS OPPORTUNITY TO ANNOUNCE OR ALERT FOLKS ABOUT POTENTIAL UPCOMING ITEMS FROM COUNCIL OR LIKELY INITIATIVES HERE OVER THE NEXT MONTH OR SO. COUNCIL MEMBER MORRISON.

MORRISON: THANK YOU, MAYOR, OR I GUESS I SHOULD SAY AN EXPLANATION OF MY FASHION STATEMENT FOR TODAY. I'M WEARING A SHIRT THAT THE PUBLIC WORKS FOLKS GAVE ME YESTERDAY AT THEIR AWARDS CEREMONY, AND I JUST WANTED TO MAKE SURE THAT I WAS GOOD ON MY FOLLOW THROUGH AND THAT I REALLY WAS GOING TO WEAR IT TODAY AND SO I REALLY DID WEAR IT TODAY. BUT REALLY ESPECIALLY TO CONGRATULATE ALL THE AWARDEES THAT RECEIVED THEIR AWARDS IN THE TRANSPORTATION DEPARTMENT AND THE PUBLIC WORKS DEPARTMENT YESTERDAY. CONGRATULATIONS TO THEM, AND REALLY, THANKS TO ALL THE FOLKS THAT WORK IN THOSE DEPARTMENTS. THEY DO IMPORTANT WORK THAT KEEP OUR CITY HUMMING ALONG DAY IN AND DAY OUT, AND THERE WERE A TON OF THEM THERE. SO IT WAS REALLY A GREAT CELEBRATION, AND THANK YOU FOR THE SHIRT.

MAYOR WYNN: YOU LOOK GOOD IN RED. AGAIN, FURTHER UPCOMING ITEMS FROM COUNCIL OR INITIATIVES THAT WE SHOULD BE AWARE OF? IF NOT, I GUESS I HAVE A COUPLE. NEXT OUR NEXT MEETING, THURSDAY, APRIL 2, IS JUST PAST THE KICKOFF. APRIL 1 IS WHEN WE KICK OFF OUR OZONE AWARENESS SEASON HERE IN AUSTIN AND CENTRAL TEXAS, SO AS PART OF NEXT WEEK'S AGENDA ON THE 2ND, I'M GOING TO ASK FOR A RELATIVELY BRIEF UPDATE AS TO OUR OZONE ACTION PLAN THIS SUMMER. WE'RE ENTITLING IT THE BIG PUSH, AND YOU'RE PROBABLY NOT AWARE, BUT AS AUSTIN AND CENTRAL TEXAS HAVE BECOME VERY, VERY CLOSE TO REACHING WHAT'S CONSIDERED NON ATTAINMENT TECHNICALLY, STATISTICALLY, THIS IS THE MAKE OR BREAK SUMMER FOR US. SUMMER OBVIOUSLY IS THE BECAUSE OF THE WARM AIR, BECOMES OUR POTENTIAL FOR LOW ALTITUDE OZONE, OR SMOG, AND SO WE HAVE A CONCERTED EFFORT HERE IN CENTRAL TEXAS TO MAINTAIN GOOD AIR QUALITY, AND SO WE WILL BE TRYING TO RAISE AWARENESS ABOUT WHAT WE ALL CAN DO AS INDIVIDUAL COMMUTERS AROUND TOWN AND OPERATORS OF LAWN EQUIPMENT AND THINGS LIKE THAT, AND WHAT WE CAN DO INDIVIDUALLY TO HOPE TO KEEP US OUT OF A NON ATTAINMENT DESIGNATION THIS SUMMER, WHICH IS THE LAST OF A FOUR YEAR PERIOD THAT WE NEED TO DO GOOD ON. AND ALSO, EARLIER THIS MORNING, IN OUR PLAZA, WE ANNOUNCED THE PROGRAM, POTENTIAL PARTNERSHIP WITH THE DAIMLER CORPORATION AND WE ANTICIPATE OVER THE NEXT MEETING OR TWO A STAFF ITEM ON

THE AGENDA TO DOCUMENT WHAT WILL BE THE DETAILS OF THIS PARTNERSHIP WITH DAIMLER. DAIMLER HAS CHOSEN AUSTIN AS THE ONLY CITY IN THE WESTERN HEMISPHERE IN WHICH TO LAUNCH THIS INTERNATIONAL PROGRAM. THEY HAVE EARLIER LAUNCHED THE SAME PROGRAM WITH ONE CITY IN EUROPE CALLED OLM, GERMANY, AND ESSENTIALLY IT'S A DRAMATICALLY EXPANDED CAR SHARE PROGRAM. AUSTIN, LIKE MANY CITIES, HAVE EXISTING CAR SHARE PROGRAMS. IF YOU WALK OUTSIDE CITY HALL HERE YOU'LL SEE A RESERVED PARKING SPACE AT THE CORNER OF LAVACA AND WEST 2ND STREET, RESERVED FOR THE AUSTIN CAR SHARE PROGRAM, RUN BY OUR FRIEND MS. BRANDY CLARK. IT'S A LIMITED CAR SHARE PROGRAM WHEREBY MEMBERS CAN USE CARS AS THEY WERE AVAILABLE. DAIMLER, WITH THEIR SMART CAR, THESE LITTLE GUYS YOU SEE DRIVING AROUND TOWN, THE ANTICIPATED PROGRAM WOULD BE THAT AS PART OF THE PILOT, DAIMLER WOULD DELIVER AT THEIR EXPENSE 200 SMART CARS TO THE CITY OF AUSTIN, AND THEN THE CITY OF AUSTIN EMPLOYEES WILL BE THE TEST PILOT PROGRAM, AND WE WILL IN AND ANTICIPATION IS, AS THE CITY MANAGER NEGOTIATES THE DETAILS, LIKELY WE WOULD SUPPLY CERTAIN PARKING SPACES AROUND THE URBAN CORE. YOU CAN PARK TWO OF THESE CARS IN EVERY SINGLE PARKING SPACE, AND THEN MIMICKING THE PROGRAM THAT WAS LAUNCHED IN OLM COMPLETED IN OLM GERMANY RECENTLY, THEY WOULD BE AVAILABLE FOR CITY OF AUSTIN EMPLOYEES AS MANY OF US HAVE TO GET AROUND THE URBAN CORE SPORADICALLY THROUGHOUT THE COURSE OF THE DAY. WE WILL THEN MEASURE THE EFFICACY OF THE PROGRAM AND DEMONSTRATE THE BOTTOM LINE BENEFITS. I THINK PEOPLE RECOGNIZE THAT THE URBAN AIR QUALITY BENEFITS AND THE MOBILITY BENEFITS OF CAR SHARING PROGRAM, SO WE'RE VERY HONORED THAT AUSTIN WAS CHOSEN. WE WERE CHOSEN BECAUSE OF OUR EXISTING REPUTATION FOR INNOVATION, CERTAINLY OUR REPUTATION FOR DESIRE FOR EXPANDING SUSTAINABILITY, AND, FRANKLY, BECAUSE OF THE MOBILITY CHALLENGES WE HAVE HERE AND THAT ARE GROWING IN OUR URBAN CORE. THE PROGRAM IN OLM GERMAN BY THE WAY, OLM AND AUSTIN ARE REMARKLY SIMILAR COMMUNITIES. WE'RE THE HOME OF THE UNIVERSITY OF TEXAS. OLM IS THE HOME OF THE UNIVERSITY OF OLM, A REMARKABLE UNIVERSITY. THEIR REPUTATION IS A YOUNG CREATIVE EDUCATED CITY, MIRRORS AUSTIN'S VERY CLOSELY. WE HAVE THE COLORADO RIVER AND LADY BIRD LAKE RUNNING THROUGH THE MIDDLE OF OUR TOWN. THEY HAVE THE DANUBE RIVER. OLM IS KNOWN FOR CREATIVITY. THEY GAVE THE WORLD THE CREATIVE GENIUS OF ALBERT EINSTEIN AND AUSTIN, OF COURSE, GIVES THE CREATIVE GENIUS OF WILLIE NELSON. THE PROGRAM THAT OLM YOU QUOTE ME ON THAT. [LAUGHTER]

THE PROGRAM IN OLM, CITY OPERATIONS WERE SO SUCCESSFUL THAT NOW THEY HAVE LAUNCHED IT TO THEIR ENTIRE CITIZENRY, AND IT IS SIMPLE AS YOU GET A DIGITAL CARD, NOT LIKE MANY OF US HAVE FOR OUR OFFICE BUILDINGS. YOU SWIPE IT IN FRONT OF THE WINDSHIELD, THE CAR DOOR OPENS AND YOU DRIVE WHENEVER YOU WANT, WHEREVER YOU WANT, AND LEAVE IT WHEREVER YOU WANT. THEY EVEN HAVE PROGRAMS WHERE WE CAN FIND THE NEAREST CAR TO GO YOU CAN FIND THE NEAREST CAR TO GO VIA GPA. IT WILL DIRECT YOU TO THE NEAREST ONE, BUT WITH HUNDREDS OF THESE JUST IN THE CITY

CORE FOR EMPLOYEES, WE'LL HAVE, AND THEN IF WE DEMONSTRATE IT IS COST EFFECTIVE AND EFFICIENT, THEN AS THEY ROLL IT OUT TO THE GENERAL PUBLIC HERE IN OUR URBAN CORE, IN THEORY THERE COULD BE THOUSANDS OF THESE CARS AVAILABLE FOR ANYBODY TO USE ANYTIME AND ALL YOU PAY FOR IS THE FEW MINUTES THAT YOU'RE ACTUALLY IN THE VEHICLE. SO WE'RE PLEASED TO ACCEPT THAT DESIGNATION BY DAIMLER, AND AGAIN, IT'S ALL CONTINGENT ON CITY STAFF NEGOTIATING AN APPROPRIATE CONTRACT THAT THEY'LL BRING BACK TO COUNCIL, LIKELY OVER THE NEXT MEETING OR TWO. ANY ADDITIONAL ITEMS, COUNCIL MEMBER SHADE?

SHADE: I WAS AT THE ANNOUNCEMENT EARLIER AND I REALLY ENJOYED IT. IT'S EXCITING. I WANTED TO RECOGNIZE THERE ARE A NUMBER OF FOLKS FROM THE AUSTIN CAR SHARE PROJECT THAT WERE HERE, AND SOME OF YOU HAVE PROBABLY SEEN THEIR PILOT PROGRAM THAT'S BEEN OPERATING HERE FOR THE LAST COUPLE YEARS AND I JUST WANT TO SAY THAT IS SOME PROOF OF CONCEPT THAT THIS IS A COMMUNITY THAT WILL EMBRACE THIS, AND I WANT TO THANK FOSS FOLKS FOR HELPING TO PAVE THE WAY AS WELL.

MAYOR WYNN: ANY FURTHER POTENTIAL ITEMS OR INITIATIVES OVER THE NEXT MONTH OR SO? THANK YOU ALL. SO WITH THAT I'LL READ THE CHANGES AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA. THEY ARE TO NOTE THAT BOTH ITEMS 30 AND 31 COME RECOMMENDED TO US BY THE ELECTRIC UTILITY COMMISSION, AS PART OF THE CONSENT AGENDA WE'LL BE POSTPONING ITEM 38 INDEFINITELY ALTHOUGH THERE ARE A COUPLE OF FOLKS WHO WOULD WHO WOULD LIKE TO GIVE US SOME TESTIMONY, SO AS PART OF OUR CONSENT AGENDA WE'LL ACCEPT THAT TESTIMONY IN A FEW MINUTES. ON ITEM 50 WE SHOULD SHOW THAT MAYOR PRO TEM MCCrackEN IS AN ADDITIONAL CO SPONSOR. ITEM NO. 77 HAS BEEN WITHDRAWN FROM THE AGENDA. AND THEN AS OUR ADDENDUM ITEM NO. 78, WE SHOULD NOTE THAT COUNCIL MEMBERS MARTINEZ, COLE AND SHADE ARE THE SPONSORING COUNCIL MEMBERS OF THIS ADDENDUM ITEM. OUR SCHEDULE TODAY, WE GOT OFF TO A LITTLE BIT OF A LATE START BUT I THINK WE'LL MAKE UP SOON, AFTER WE HAVE ANY DISCUSSION ITEMS OFFER THE AGENDA THIS MORNING, AT NOON WE'LL TAKE UP OUR GENERAL CITIZEN COMMUNICATION. WE HAVE TEN FOLKS THAT WOULD LIKE TO GIVE US THOUGHTS TODAY. IN THE AFTERNOON WE HAVE TWO POSTED BRIEFINGS. ONE IS REGARDING AN UPDATE TO THE DOWNTOWN STREET EVENT CLOSURE TASK FORCE RECOMMENDATIONS. THERE IS A RELATED ITEM ON THE AGENDA REGARDING SETTING UP PUBLIC HEARING FOR POTENTIAL ACTION ON THAT. WITHOUT OBJECTION, COUNCIL, I BELIEVE WE SHOULD PULL THAT ITEM OFF THE CONSENT AGENDA AND WE'LL TAKE UP EVEN SETTING THE PUBLIC HEARING UNTIL AFTER WE HEAR THIS AFTERNOON BRIEFING ABOUT THE RECOMMENDATIONS. AND THEN WE ALSO WILL HAVE AN AFTERNOON BRIEFING FROM OUR PUBLIC WORKS DEPARTMENT REGARDING THE TRAILS NETWORK HERE IN AUSTIN. SOMETIME AFTER 3:00 P.M. WE WILL TECHNICALLY RECESS THE CITY COUNCIL MEETING AND TAKE UP THE TAX INCREMENT FINANCING BOARD MEETING, WHEREBY WE DO THE QUICK LITTLE BUSINESS OF OUR TIF BOARDS. THEN WE RECONVENE THE CITY COUNCIL MEETING TO TAKE UP THE CITY COUNCIL AT 4:00 P.M. AT 5:30 WE BREAK FOR LIVE

MUSIC. MUSICIANS ARE THE McCALLUM ORCHESTRA. STAY TUNED FOR THOSE YOUNG FOLKS. I SUSPECT WE'D HEAR THEY WON ANOTHER NATIONAL OR INTERNATIONAL AWARD AND ARE PREPARING FOR A BIG TRIP. STAY TUNED FOR THAT. AT 6:00 P.M. WE TAKE UP OUR PUBLIC HEARINGS. SO COUNCIL, I THINK ITEM NO. 56, WHICH WAS JUST SETTING THE PUBLIC HEARING REGARDING THE STREET CLOSURE TASK FORCE IS THE ONLY ITEM AT THIS POINT OFF OUR CONSENT AGENDA. MR. SMITH, DO YOU HAVE A COMMENT?

YES, MAYOR, I DO. I AM INFORMED THERE'S AN ADDITIONAL CORRECTION ON ITEM 51, SIMPLY TO DELETE THE PHRASE "UNDER CITY CODE CHAPTER 14 8."

MAYOR WYNN: SO MS. GENTRY, IF YOU CAN NOTE THAT FOR THE RECORD, ADDITIONAL CORRECTION FOR ITEM NO. 51. SO AGAIN, COUNCIL, SO FAR ONLY ITEM 56 HAS BEEN PULLED OFF THE CONSENT AGENDA. ANY ADDITIONAL ITEMS TO BE PULLED BEFORE I PROPOSE THE CONSENT AGENDA? HEARING NONE, THEN OUR PROPOSED CONSENT AGENDA WILL BE NUMERICALLY TO APPROVE ITEM NO. 1, THE MINUTES FROM OUR MARCH 12 REGULAR MEETING, FROM OUR AUSTIN WATER UTILITY APPROVING ITEMS 2, 3, 4, 5, 6, 7, 8 AND 9. FROM OUR AVIATION DEPARTMENT APPROVING ITEM NO. 10. FROM OUR CONTRACT AND LAND MANAGEMENT DEPARTMENTS APPROVING ITEM 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 AND 23. FROM OUR ECONOMIC GROWTH & REDEVELOPMENT SERVICES APPROVING ITEM 24. FROM OUR EMERGENCY MEDICAL SERVICES DEPARTMENT APPROVING ITEM 25. FROM OUR PARKS AND RECREATION DEPARTMENT APPROVING ITEM 26, FROM OUR POLICE DEPARTMENT APPROVING ITEM 27, FROM OUR PUBLIC WORKS DEPARTMENT APPROVING ITEM 28, PROSECUTE OUR PURCHASING OFFICE APPROVING ITEM 29, 30 AND 31, BOTH FOR CHANGES AND CORRECTION, 32, 33, 34, 35, 36 AND 37 AS PART OF THE CONSENT AGENDA WE'LL BE POSTPONING INDEFINITELY ITEM 38. WE WILL BE APPROVING ITEM 39, 40, 41, 42, 43, 44, 45 AND 46. ITEM 47 ARE BOARD AND COMMISSION APPOINTMENTS THAT I'LL READ INTO THE RECORD, NOMINATIONS. LET'S SEE, TO OUR ASIAN AMERICAN RESEARCH CENTER ADVISORY BOARD, MOJAN CARBAN I AS IS COUNCIL MEMBER SHADE'S RECOMMENDATION. TO DOWNTOWN ADVISORY COMMITTEE, MARSHAL JONES IS MAYOR PRO TEM'S NOMINATION. TO YOUR OUR URBAN FORESTRY ZONE, MY NOMINATION IS TRAVIS. AND TO THE ZONING AND PLANNING COMMISSION CYNTHIA BANKS IS COUNCIL MEMBER COLE'S NOMINATION. THESE ARE BOARD AND COMMISSION APPOINTMENTS. WE'LL ALSO BE APPROVING AS PART OF OUR CONSENT AGENDA ITEM 48, 49, 50 PER CHANGES AND CORRECTIONS, 51, 52, 53, 54 AND 55. WE'LL ALSO BE APPROVING AS PART OF OUR CONSENT AGENDA OUR ADDENDUM ITEM NO. 78 PER CHANGES AND CORRECTION. SO I'LL ENTERTAIN A MOTION ON THAT PROPOSED CONSENT AGENDA. MOTION BY COUNCIL MEMBER SHADE.

SECOND.

MAYOR WYNN: SECONDED BY COUNCIL MEMBER MARTINEZ TO APPROVE THE CONSENT AGENDA AS READ. COUNCIL, WE DO HAVE A ASK ASKED FOR COMMENTS ON COUNCIL AGENDA. WE HAVE A HANDFUL OF FOLKS THAT WOULD LIKE TO GIVE US TESTIMONY. AS A

POINT OF PRIVILEGE I'D LIKE TO RECOGNIZE ON ITEM NO. 28, WHICH IS OUR APPROVAL OF THE POND SPRINGS ROAD UPGRADE PROJECT, WILLIAMSON COUNTY COMMISSIONER LISA BURKMAN IS HERE. LISA'S DISTRICT IN WILLIAMSON COUNTY OF COURSE INCLUDES THE SOUTHERN SWATH OF THE COUNTY, WHICH ALSO INCLUDES A MEASURABLE SWATH OF THE CITY OF AUSTIN, SO SHE IS BOTH REPRESENTS BOTH WILLIAMSON COUNTY RESIDENTS AS WELL AS CITY OF AUSTIN RESIDENTS IN WILLIAMSON COUNTY, SO PLEASED TO SEE COMMISSIONER HERE. COMMISSIONER, WOULD YOU LIKE TO SAY A FEW WORDS ABOUT THIS PROGRAM AND PROJECT? WELL, THANK YOU FOR BEING HERE AND SUPPORTING, NO. 28, UPGRADES OF POND SPRINGS ROAD. ALSO SIGNED UP ON ITEM NO. 1, WHICH IS APPROVAL OF OUR MINUTES, THIS MIGHT BE A MISTAKE, BUT LARONDA WANTED TO GIVE US SOME TESTIMONY. IS MS. LEWIS HERE? WOULD YOU LIKE TO ADDRESS US, MS. LEWIS?

[INAUDIBLE]

MAYOR WYNN: THAT'S OKAY. WHY DON'T YOU COME FORWARD. DID YOU WANT TO GIVE US SOME TESTIMONY ON AN ITEM?

[INAUDIBLE]

MAYOR WYNN: WELL, IF YOU DON'T MIND, I'D SUGGEST IF YOU HAVE THE TIME, IF YOU COULD WAIT FOR CITIZEN COMMUNICATION. WITHOUT OBJECTION WE CAN GIVE YOU A SPOT ON OUR SECTION OF OUR AGENDA HERE IN ONLY AN HOUR. SORRY TO MAKE YOU WAIT, BUT WHEN WE TAKE UP TESTIMONY FROM CITIZENS ON RANDOM TOPIC. SO IF YOU CAN WAIT FOR A FEW MINUTES, WE APPRECIATE YOUR PATIENCE. SO LET'S SEE, WE ALSO HAD ON ITEM NO. 6, HERE SUPPORTING THIS RESOLUTION, ESPECIALLY SUPPORTING THE BARTON SPRINGS EDWARD AQUIFER CONSERVATION DISTRICT, KIRK HOLLAND IS HERE IN SUPPORT AND I THINK IS HERE TO ANSWER QUESTIONS IF WE HAVE ANY OF KIRK, BUT WE WILL NOTE YOUR SUPPORT FOR THE RECORD. MR. HOLLAND, THANKS FOR BEING HERE. LET'S SEE, ON ITEM NO. 38, WHICH TECHNICALLY WE ARE POSTPONING INDEFINITELY AS PART OF THE CONSENT AGENDA, BUT WE ARE TAKING THAT ACTION. WE DO HAVE A COUPLE OF FOLKS THAT WOULD LIKE TO GIVE US TESTIMONY, SO WITHOUT OBJECTION WE'D LIKE TO GO AHEAD AND HEAR FROM THOSE FOLKS, IF THEY STILL WOULD LIKE TO DO SO. LET'S SEE, NORMAN MILASKO. SORRY IF I MISPRONOUNCED THAT, NORMAL AND. WOULD YOU LIKE TO COME FORWARD AND GIVE US SOME COMMENTS, AND YOU'LL BE FOLLOWED BY MICHELLE HERNANDEZ. THIS PODIUM HERE WOULD PROBABLY BE BETTER FOR YOU, NORMAL AND. YOU'LL HAVE THREE MINUTES.

I'M NOR, I'M WITH A COMPANY CALLED AGARIAN INCORPORATED. WE ARE A SUBCONTRACTOR FOR CIGNEX. THEY WERE AWARDED IT'S AN OPEN BID, VERY TRANSPARENT, ONE OF THE MOST STRICTEST BIDS WE'VE EVER BEEN ON. I JUST WANTED TO OUTLINE VERY QUICKLY THAT WE ARE INVOLVED IN THE MAINTENANCE IMPLEMENTATION, EVERYTHING TO DO WITH THE HOUSTON AIRPORT SYSTEM, THE SIXTH LARGEST AIRPORT SYSTEM IN THE WORLD. WE HANDLE THEIR WORK. WE WORK FOR

HARRIS COUNTY, PUBLIC COMPANIES LIKE SATURN CORPORATION, FORD MOTOR COMPANY, SYMANTEC. WE ALSO DO A LOT OF CHARITABLE WORK FOR THE FIREFIGHTERS FOUNDATION, WORLD AFFAIRS COUNCIL AND ACTUALLY 20 OTHER CHARITIES IN THE HOUSTON AND TEXAS AREA. SPECIFICALLY FOR AUSTIN, WE HAVE DONE WORK FOR SOLAR WINDS, MIRAGE NETWORKS, UP LODGICS, PROSPECTS AND FLIGHT CONTROLS. I JUST WANTED TO SAY THAT THERE HAS BEEN A LITTLE BIT OF PRESS OUT THERE. WE HAVEN'T RESPONDED TO ANY OF IT. WE WANT TO TRY TO BE AS PROPER AS POSSIBLE DURING THIS WHOLE PROCESS. BUT WE REALLY DO APPRECIATE THIS PROJECT. WE ARE A MINORITY OWNED BUSINESS, AND THIS PROJECT HAS GIVEN US AN OPPORTUNITY TO BE INVOLVED IN SOMETHING VERY LARGE THAT WE WOULD NOT OTHERWISE HAVE AN OPPORTUNITY TO DO SO. IF POSSIBLE, COULD I DONATE THE REST OF MY TIME TO MICHELLE HERNANDEZ?

YOU MAY, MR. MILASKA. WELCOME.

THANK YOU.

SO MICHELLE, WELCOME. YOU'LL HAVE AN ADDITIONAL MINUTE AND A HALF OR SO, SO YOU HAVE FOUR AND A HALF MINUTES.

THANK YOU, COUNCIL. I WANT TO INTRODUCE MYSELF. MY NAME IS MICHELLE HERNANDEZ AND I'M THE FOUNDER AND PRESIDENT OF JIGSAW SOLUTIONS. IT'S A LOCAL AUSTIN BASED MINORITY OWNED BUSINESS AND I WANT TO THANK THE COUNCIL FOR THE CHANCE TO SPEAK TO YOU AND THANK YOU FOR THIS OPPORTUNITY. ONE OF THE INITIATIVES IS THE MBE/WBE INITIATIVE TO ALLOW DISADVANTAGED BUSINESSES TO HAVE INPUT INTO THE BIDS OF THESE LARGER PROPOSALS AND WERE IT NOT FOR THAT OPTION I DON'T KNOW THAT I'D BE HERE IN FRONT OF YOU. SO THANK YOU FOR THAT OPTION. I DID WANT TO ADDRESS SOME OF THE POINTS THAT WE HAVE HEARD. THERE'S BEEN A LOT OF PRESS AND COVERAGE AND OPINIONS OUT IN THE MEDIA THE LAST FEW DAYS, AND I JUST WANTED TO GO DOWN A FEW OF THOSE POINTS AND ADDRESS THEM SO THAT THE FACTS ARE FOR THE RECORD AND SEE IF THERE ARE ANY QUESTIONS ON THEM. THE FIRST THING IS ONE OF THE ISSUES SEEMED TO BE THAT IS GIVEN TO A CALIFORNIA COMPANY. THE WORK IS GOING TO BE PERFORMED IN AUSTIN FOR THE WEB DESIGN AND FOR THE REQUIREMENTS AND SO FORTH IT WILL BE AUSTIN BASED. THERE IS NO OUTSOURCING TO INDIA. IN ADDITION WITHIN THE BID, APPROXIMATELY 35% OF THAT BID'S MONEY IS GOING TO THE DISADVANTAGED BUSINESSES. THAT INCLUDES JIGSAW SOLUTIONS AND ADVARIAN. IN ADDITION ONLY 1.1% IS MANDATORY TO GO TO A MINORITY BUSINESS, WBE. I WOULD LIKE TO COMMEND CIGNEX FOR AVOIDING [INDISCERNIBLE] 18.4% SO EXCEEDING THAT EXPECTATION. IN ADDITION, I HAVE WORKED IN THE PUBLIC SECTOR SINCE THE FOUNDING OF MY COMPANY FOR THE LAST FEW YEARS, AND IT ISN'T ALWAYS EASY TO GET IN THE DOORS, AND I APPRECIATE CIGNEX'S APPROACH FOR MY COMPANY. WITHOUT THEM I WOULDN'T BE HERE, AND WOULDN'T HAVE AN OPPORTUNITY AT ALL TO WORK ON THIS RFP. ANOTHER POINT THAT SEEMS TO BE OUT THERE IS THE FACT OF WAS THERE ENOUGH OPPORTUNITY FOR THE PUBLIC TO RESPOND TO THIS BID. THIS BID IS IN THE PUBLIC

SECTOR. IF YOU WORK IN THE PUBLIC COMMUNITY YOU WILL KNOW THAT YOU REGISTER ON THE CITY OF AUSTIN SITE. EVEN WITHOUT REGISTERING IT'S OPEN TO THE PUBLIC TO SEE TO GET WIND OF THIS PROPOSAL AS SOON AS IT'S ANNOUNCED. IN ADDITION, WE HAVE CONFIRMED WITH THE PURCHASING DEPARTMENT THAT OVER 200 COMPANIES CLOSE TO 250, WERE SENT BY EMAIL THIS AWARD, SO THERE WAS PLENTY OF OPPORTUNITY. I THINK WHERE THE QUESTION COMES TO THE RESPONSES, IT IS A SKILLED EXPERTISE TO GET THIS RESPONSE FOR THE PONS SYSTEM DEVELOP DEVELOPMENT, AND THE COMPANY I'M WORKING WITH, CIGNEX, HAS EXPERIENCE IN THAT AND HAS EXPERIENCE WITH THE CITY OF AUSTIN TRAINING IN THAT IN THE PAST. IN ADDITION, THE PROJECT THE BIDS WERE A COMPETITIVE BID. THERE WAS A MATRIX SPACE THAT HAS BEEN POSTED IN THE PUBLIC, OF COURSE, AND YOU'LL SEE THAT THE BID WAS COMPETITIVELY BASED FOR THE PROPOSAL BEING OFFERED, AND THE CITY OF AUSTIN IS SAVING 600,000 THROUGH THE INITIAL BID ITSELF. IN ADDITION, BY TRAINING PART OF THE PROPOSAL IS TO TRAIN THE CITY OF AUSTIN STAFF, AND BY DOING SO YOU ARE GETTING ADDED VALUE OF HAVING THE CITY OF AUSTIN EMPLOYEES MAINTAIN JOBS AND BE ABLE TO CONTINUE MAINTAINING THE WEB SITE ON A LONG TERM BASIS. SO EFFECTIVELY THE RFPS TO MAKE THE VENDORS OBSOLETE AND GIVE THE CITY OF AUSTIN THE CHANCE TO SHOW OFF AND HAVE PRIDE IN THEIR WEB SITE. MY OTHER PARTNER HAS ALREADY MENTIONED THAT SOME OF THE COMPANIES THEY'VE WORKED WITH IN ADDITION TO EXCEL HAS ALSO WORKED IN THE PUBLIC SECTOR AND IN THE AUSTIN COMMUNITY. WE'VE WORKED WITH THE DEPARTMENT OF STATE HEALTH SERVICES, TEXAS ASSOCIATION OF COUNTIES, D AND B COMPANY, WORKED WITH CNPI WHICH IS THE COMMUNITY MENTOR PROJECT INITIATIVE AMONG OTHERS, AND SETON FAMILY OF HOSPITALS. WE'VE ALSO DONATED VOLUNTEERED AT THE CAPITAL AREA FOOD BANK. I WANT TO THANK YOU FOR THE TIME TO SPEAK. I DO HOPE THIS WILL GIVE SOME LIGHT TO SOME OF THESE QUESTIONS THAT MAY HAVE COME UP IN THE LAST FEW DAYS. THANK YOU VERY MUCH FOR YOUR TIME.

MAYOR WYNN: THANK YOU, MS. HERNANDEZ. THAT WAS HELPFUL INFORMATION. THERE'S ALSO QUESTIONS FOR MS. HERNANDEZ OR MR. MILASKO? THANK YOU. THANK YOU, MICHELLE. WE ALSO HAVE JOHN CARLSON SIGNED UP WISHING TO SPEAK. MR. CARLSON HERE. WELCOME. YOU TOO WILL HAVE THREE MINUTES.

GOOD MORNING. I'M JOHN CARLSON. I'M A LOCAL COMPUTER ENGINEER AND TECHNOLOGY CONSULTANT. I AM HERE TO VOICE MY OPPOSITION TO THE AGENDA ITEM. I HAVE PROVIDED SIMILAR SERVICES TO HIGH PROFILE CLIENTS INCLUDING THE 2006 WORLD CONGRESS ON INFORMATION TECHNOLOGY, AND I BELIEVE THAT THE CITY'S REQUEST FOR PROPOSAL OR QUOTATION WAS POORLY CONSTRUCTED AND POORLY PUBLICIZED. FOR MORE THAN A YEAR AND A HALF I HAVE ALSO SURVEYED THE QUALITY OF LOCAL WEB SITES AND THEIR DESIGNERS AND OFFER AWARDS TO DEVELOPERS WHO ALSO MEET AT LEAST MINIMUM LEVELS OF STANDARDS, AWARENESS AND COMPLIANCE. TO DATE I HAVE IDENTIFIED ON MY WEB SITE SEVEN LOCAL DEVELOPERS THAT I CONSIDER TO BE MORE CAPABLE THAN CIGNEX. BASED ON A CURSORY EVALUATION OF ITS OWN SITE, I BELIEVE THAT CIGNEX IS WHOLLY UNQUALIFIED TO PERFORM THIS TYPE OF DEVELOPMENT. THAT IS

ALSO TRUE FOR JIGSAW SOLUTIONS AS WELL. USING THE STANDARD VALIDATION TOOL, I SEE THAT CIGNEX'S HOME PAGE THAT IS THREE TIMES THE AVERAGE NUMBER OF MARK UP ERRORS, AND AT FOUR TO FIVE TIMES THE NUMBER OF ERRORS, I'VE SEEN THAT PAGES OFTEN DENY ACCESS TO POTENTIAL USERS BY CRASHING THEIR BROWSER. SO THIS IS A VERY SERIOUS THING. THAT OUR WEB DEVELOPER'S OWN SITE HAS ANY MARK UP ERRORS AT ALL INDICATES TO ME THAT THEY ARE OBVIOUSLY IGNORANT OF THE FUNDAMENTAL STANDARDS OF THE WEB DEVELOPMENT CRAFT. BECAUSE THIS TYPE OF COMMUNICATION WILL CLEARLY BE ONGOING FROM THE CITY TO THE GENERAL PUBLIC, I BELIEVE THAT THESE TASKS SHOULD BE IN SOURCED RATHER THAN OUTSOURCED, AND MANAGED FROM WITHIN THE ORGANIZATION. NOW, THOUGH I USUALLY WORK AS A PAID CONSULTANT, I AM WILLING TO VOLUNTEER SEVERAL HOURS OF MY OWN SERVICES TO HELP DEVELOP A PROPER SPECIFICATION AND PERHAPS TO TRAIN UP SOME INTERNAL STAFF. THANK YOU VERY MUCH.

THANK YOU, MR. CARLSON. QUESTIONS FOR MR. CARLSON, COUNCIL? COUNCIL, THAT'S ALL THE FOLKS THAT WANTED TO GIVE US TESTIMONY IN THIS ITEM NO. 35. AGAIN, TECHNICALLY IS PART OF THE CONSENT AGENDA, WE WILL BE POSTPONING THIS ITEM INDEFINITELY. I DON'T KNOW IF THE CITY MANAGER OR SOMEBODY FROM PURCHASING MIGHT SHED A LITTLE MORE LIGHT ON ON BY POSTPONING INDEFINITELY WHETHER WE ANTICIPATE THIS COMING BACK SOON OR IN DIFFERENT FORMAT OR

I'D BE HAPPY TO SPEAK TO THAT, MAYOR. WE DO ANTICIPATE IT COMING BACK. I SPOKE TO OUR TECHNICAL STAFF AND OUR NEW DIRECTOR, GAIL ROPER, ABOUT THAT AND WE ANTICIPATE PROBABLY IN TERMS OF TWO WEEKS TO A MONTH BEING PREPARED TO COME BACK TO COUNCIL. THE REASON THAT WE REQUESTED THE DELAY, QUITE FRANKLY, IT'S SIMPLY BECAUSE WE HAVE A NEW DIRECTOR, CTM DIRECTOR, WHO HAS BEEN ON THE JOB JUST A COUPLE OF WEEKS AND OBVIOUSLY HAS NOT HAD SUFFICIENT TIME TO FULLY DIGEST, NOTWITHSTANDING HER BROAD EXPERTISE TO FULLY DIGEST THIS ALMOST TWO YEAR EFFORT. AND SO I THINK IT'S ONLY FAIR TO HER THAT SHE HAVE THAT OPPORTUNITY AS WELL AS DOUG MATHEWS, OUR NEW PIO DIRECTOR. HE TOO WILL HAVE A YOU KNOW, A PRINCIPAL ROLE TO PLAY ONCE THIS REDESIGN, YOU KNOW, COMES TO FRUITION. SO FOR THOSE REASONS, REALLY, REEF ASKED FOR YOU KNOW, FOR THIS DELAY TO GIVE THEM THAT OPPORTUNITY, AND AS I SAID, WE DO ANTICIPATE COMING BACK PROBABLY IN ABOUT A MONTH OR SO.

MAYOR WYNN: ALL RIGHT. THANK YOU. FURTHER QUESTIONS ON THIS ITEM? COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: YES, I SUPPORT THE MANAGER'S DECISION TO POSTPONE THIS FOR THE REASONS HE STATED. WE DO HAVE TURNOVER AT THE HIGHEST LEVELS OF OUR CTM DEPARTMENT, AND THIS IS A DEPARTMENT THAT WILL BE RESPONSIBLE FOR OVERSEEING THE AWARD PROCESS AND FOLLOWING UP AS THE DEVELOPMENT OF THE NEW WEB SITE GOES ON. AND IT ALSO GIVES US ADDITIONAL TIME TO CONTINUE TO RECEIVE COMMENTS

FROM THE PUBLIC. ALL THAT BEING SAID, I THINK THE END PRODUCT, THE REDESIGN OF THE WEB SITE, IS VERY IMPORTANT TO THE CITY OF AUSTIN, VERY IMPORTANT TO THE CITIZENS OF THE CITY OF AUSTIN. WE HEARD THIS LOUD AND CLEAR TWO YEARS AGO AND EMBARKED ON THIS PROCESS. AT THE TIME IT WAS VERY THOROUGH WITH REGARD TO SOLICITING CITIZEN INPUT. WE HELD SIX TOWN HALL MEETINGS AROUND THE CITY. I PARTICIPATED MYSELF IN MOST OF THOSE. WE TOOK ON PUBLIC COMMENT ON THE WEB SITE, THE GO AUSTIN WEB SITE. OVER 1200 COMMENTS RECEIVED. EVIDENTLY THERE'S STILL MORE INPUT, AND, YOU KNOW, I WELCOME THAT OPPORTUNITY, EVEN THOUGH IT IS SO IMPORTANT TO THE CITY OF AUSTIN, IT IS MORE IMPORTANT THAT WE GET IT RIGHT. AND SO TAKING A MONTH OR SO TO ADDRESS SOME OF THE LAST MINUTE DETAILS I THINK IS VERY APPROPRIATE AND I SUPPORT THAT.

MAYOR WYNN: COUNCIL MEMBER SHADE?

SHADE: I'D LIKE TO OFFER MY SUPPORT AS WELL. I SUPPORT MANAGEMENT'S DECISION ON THIS. I HAD AN OPPORTUNITY TO TALK WITH A FEW FOLKS. MUCH OF THE ACTIVITY HAPPENED BEFORE I WAS ON COUNCIL AND I THINK IT'S REALLY HARD TO GET YOUR ARMS AROUND SOMETHING OF THIS MAGNITUDE. I THINK MOST PEOPLE HERE AND WATCHING UNDERSTAND THE CITY, WHEN THEY'RE GOING TO BID OUT A CONTRACT LIKE THIS, HAS TO GO THROUGH PRETTY EXTENSIVE PROCUREMENT PROCESS THAT'S GOVERNED BY STATE LAW, AND SOMETIMES WHEN THAT HAPPENS THE DETAILS GET SO YOU KNOW, FLESHED OUT BUT NOT AMONG THE POLICY MAKERS AND NOT AMONG THE MANAGERS WHO ARE ACTUALLY GOING TO BE RESPONSIBLE FOR IMPLEMENTING THE WORK. SO I WANT TO RECOGNIZE THE PEOPLE WHO HAVE COME THAT ARE INVOLVED IN THE CONTRACT THAT HAD THE HIGHEST SCORE, AND I APPRECIATE YOU ALL COMING AND ADDRESSING SOME OF THE ISSUES, AND I THINK THAT IT'S REALLY GREAT THAT WE HAVE NEW MANAGEMENT IN PLACE THAT CAN ADDRESS SOME OF THE OTHER CONCERNS THAT HAVE BEEN RAISED. SO THANK YOU.

COLE: MAY I?

MAYOR WYNN: COUNCIL MEMBER COLE, YES.

COLE: I WANT TO SIMPLY POINT OUT THAT I AGREE WITH ALL THE COMMENTS THAT HAVE BEEN MADE AND THE FACT THAT WE'RE GOING TO GIVE OUR NEW DIRECTOR AN OPPORTUNITY TO EXAMINE THE GO PROJECT AND MAKE IT MORE TRANSPARENT. WE HAVE CONSISTENTLY HEARD FROM OUR CITIZENS THAT WE WANT MORE TRANSPARENCY IN GOVERNMENT, AND THIS IS ONE OF THE WAYS THAT WE WILL BE ABLE TO DO THAT.

MAYOR WYNN: AGREED. FURTHER COMMENTS ON THIS ITEM, ITEM NO. 38, OUR WEB SITE REDESIGN? COUNCIL MEMBER MARTINEZ?

MARTINEZ: VERY BRIEFLY, I AGREE WITH THE COMMENTS THAT HAVE BEEN MADE, BUT AS

ONE OF THE CO SPONSORS WHEN THE INITIAL AUSTIN GO PROJECT WAS LAUNCHED, IT WAS LAUNCHED AS AN INTERNAL PROGRAM, AND BECAUSE OF STAFF PERSONNEL CHANGES SINCE THAT TIME, WE ARE NOW LOOKING AT GOING OUTSIDE TO HAVE SOME EXPERTISE BROUGHT IN. MY COMMENTS REALLY ARE THAT I BELIEVE THAT OUR WEB SITE IS THE SINGLE MOST UTILIZED AND VALUABLE RESOURCE BUT IS ALSO THE SINGLE MOST DIFFICULT RESOURCE AT TIMES. AND SO WE ABSOLUTELY NEED TO IMPROVE OUR WEB SITE BECAUSE I THINK NOT JUST FOR CITIZENS BUT FOR MYSELF AND FOR STAFF AND CITY STAFF, IT'S A CRITICAL TOOL TO THAT SPEAKS TO MANY OF OUR VALUES IN TERMS OF EFFICIENCIES, IN TERMS OF NOT HAVING TO GET INTO YOUR CAR AND DRIVE DOWN HERE AND ASK QUESTIONS, YOU KNOW, AND TAKE UP VALUABLE STAFF TIME FOR SOMETHING THAT CAN BE EASILY AVAILABLE ON OUR WEB SITE, FOR PAYING BILLS, FOR PAYING PERMITS. THOSE TYPES OF THINGS REALLY SPEAK TO THE VALUES OF AUSTIN THAT I BELIEVE COULD BE INCORPORATED INTO THE WEB SITE. AND SO I LOOK FORWARD TO THIS ITEM COMING BACK AND EVENTUALLY HAVING A WEB SITE THAT IS A WORLD CLASS WEB SITE FOR OUR CITIZENS.

MAYOR WYNN: ALL RIGHT. THANK YOU ALL. AND FURTHER COMMENTS JUST ON THIS ITEM NO. 38? WE HAVE A FEW MORE CITIZENS TO GIVE TESTIMONY. THANK YOU ALL. SO LET'S SEE. ITEM NO. 49, ON THE CONSENT AGENDA, RELATES TO LOW INCOME HOUSING TAX CREDIT PROGRAMS FOR LOW INCOME HOUSING. WE HAVE A COUPLE FOLKS WHO WANTED TO GIVE US TESTIMONY ON THIS ITEM. LET'S SEE, OUR FIRST SPEAKER IS GUS PENA. WELCOME BACK, MR. PENA. YOU WILL HAVE THREE MINUTES TO BE FOLLOWED BY ROYCE MULLHOLLAND.

GOOD MORNING, MAYOR, COUNCIL MEMBERS, MR. CITY MANAGER, GUST PENA, NATIVE EAST AUSTINITE. AND THE ONLY REASON I'M HERE ON THIS ITEM NO. 49 IS THAT THERE HAVE BEEN SOME QUESTIONS IN THE COMMUNITY AS TO THE FOLLOWING LANGUAGE ON THE RESOLUTION ON ITEM NO. 49. THE RESOLUTION STATES, WHEREAS THE COUNCIL HAS DESIGNATED PRIORITY AREAS FOR REDEVELOPMENT, THE TOD, TRANSIT ORIENTED DISTRICTS AND ROBERT MUELLER AIRPORT, AND MS. SHAW WAS VERY KIND AND EXPLAINED TO ME THAT THERE WILL BE NO FISCAL IMPACT, I GUESS IS WHAT SHE SAID. IF NOT, THEY CAN SHE CAN'T ME. THAT WAS ANOTHER CONCERN FROM THE COMMUNITY, THE LACK OF FUNDING IN OUR BUDGET. THE OTHER THING THAT THE OTHER THINGS THAT WERE MENTIONED AS CONCERNS ARE WHY NOT DESIGNATE THE PARTS OF EAST OR NORTHEAST AUSTIN, SOUTH AUSTIN, CENTRAL AUSTIN AND PARTS OF SOUTH AUSTIN AS PRIORITIES FOR REDEVELOPMENT AND AFFORDABLE HOUSING ALSO. ANOTHER THING THAT I MENTIONED THROUGHOUT THE YEAR, NOT ONLY HERE BUT THE COUNTY COMMISSIONERS COURT AND THE LEGISLATURE, BUT SCHOOL BOARD MEETINGS, LET'S HAVE A CLEAR CUT DEFINITION FOR AFFORDABILITY. WHAT CAN BE AFFORDABLE FOR TO MANY PEOPLE FROM CALIFORNIA MIGHT NOT BE AFFORDABLE FOR OUR RESIDENTS, OUR LONG TIME RESIDENTS HERE AND THE FOR OUR KIDS THAT ARE GOING TO NEED AFFORDABLE HOUSING IN THE FUTURE. IF MS. SHAW OR SOMEBODY CAN ANSWER THAT QUESTION, WHY NOT EAST SOUTH, SOUTHEAST AUSTIN AND OTHER QUADRANTS I WOULD

APPRECIATE IT. ONE OF THE THINGS I MENTIONED WHEN I RAN FOR CITY COUNCIL IN '96 AND '97 WAS THE LACK OF AFFORDABLE HOUSING FOR STUDENTS. AT THIS TIME I'D LIKE FOR YOU ALL TO I'D LIKE TO RECOGNIZE STUDENTS THAT ARE HERE FROM THE UNIVERSITY OF TEXAS IN POSTGRAD WORK. IF YOU CAN STAND UP, ELIZABETH, AND YOUR FELLOW STUDENTS. GIVE THEM A ROUND OF APPLAUSE BECAUSE THESE ARE OUR STUDENTS WHO ARE HERE TO PARTICIPATE. [APPLAUSE] AND IT'S VERY IMPORTANT TO RECOGNIZE THE EFFORTS AND THE WANT AND NEED TO KNOW AS TO WHAT'S GOING ON IN OUR CITY. THESE ARE OUR FUTURE, OUR YOUTH, AND I JUST WONDERED IF THEY IF MS. SHAW OR SOMEBODY CAN ANSWER THE QUESTION AS TO WHY NOT OTHER PARTS OF AUSTIN AS PRIORITIES FOR OUR AFFORDABLE HOUSING, I'D APPRECIATE IT. IF NOT, YOU KNOW, YOU KNOW, ANYWAY. BUT I JUST NEEDED TO BRING THAT TO YOU ALL'S ATTENTION. CLEAR CUT AFFORDABLE HOUSING IS NEEDED EVERYWHERE. ENTOD'S, MUELLER, THE BUT THERE'S A LOT OF NEED IN OUTER AREAS. MAYBE SOMEBODY CAN BE SO PROFESSIONAL AS TO ANSWER A QUESTION. THAT'S ALL I HAVE, MAYOR, ON THIS ISSUE. THANK YOU VERY MUCH.

MAYOR WYNN: THANK YOU, MR. PENA. ACTUALLY WE'LL HOLD THAT QUESTION. WE HAVE A FEW MORE FOLKS TO GIVE US TESTIMONY AND THERE MIGHT EVEN BE MORE QUESTIONS FOR STAFF AFTERWARDS. LET'S SEE. SO ROYCE MULLHOLLAND SIGNED UP TO GIVE US TESTIMONY. I HOPE I PRONOUNCED THAT CORRECTLY. IS SARAH ANDERSON HERE? WELCOME. ROYCE, SARAH HAS GIVEN YOU HER MINUTES SO YOU'LL HAVE UP TO SIX MINUTES.

THANKS, MAYOR AND THE COUNCIL, I APPRECIATE THIS OPPORTUNITY TO PRESENT MYSELF AND MY COMPANY. I'D LIKE TO ALSO THANK MEMBERS OF THE CITY HOUSING STAFF, ESPECIALLY KELLY HUNT AND GARY ADRAN, WHO ARE EXCELLENT HOUSING OFFICIALS AND HAVE BEEN A PLEASURE TO WORK WITH IN DEVELOPING APPLICATION AND NAVIGATING, YOU KNOW, THE POLICIES OF THE CITY. WE'D I'D LIKE TO THANK THE REVEREND FOR HIS PRAYER AND CALL FOR US ALL TO BE PART OF RENEWING AND REFRESHING OURSELVES IN OUR COMMUNITY. THAT'S WHAT TMG DOES. MULLHOLLAND GROUP HAS BEEN IN BUSINESS FOR 18 YEARS ACQUIRING AND RENOVATING AFFORDABLE HOUSING COMPLEXES, NATIONALLY WE CURRENTLY OWN 2,000 UNITS OF HOUSING AND OPERATE THEM IN THREE STATES. WE'RE EXCITED ABOUT COMING INTO THE GREAT STATE OF TEXAS AND THE CITY OF AUSTIN. I HOPE TO VISIT HERE OFTEN AS MY DAUGHTER IS APPLYING FOR ADMISSION AT UNIVERSITY OF TEXAS. BUT ONE OF THE THINGS WE DO, WE DON'T SIMPLY THE CULTURE OF OUR COMPANY IS NOT SIMPLY TO PROVIDE A ROOF OVER SOMEONE'S HEAD AND ACT AS A LANDLORD. WE BELIEVE THAT OUR RESIDENTS DESERVE MORE THAN THAT. I HAVE INFORMATION ON MY COMPANY THAT I'LL SUMMARIZE AND LEAVE WITH YOU ALL ABOUT THE PROGRAMS THAT WE RUN IN OTHER PARTS OF THE COUNTRY, ESPECIALLY IN THE STATE OF VIRGINIA, BUT WE WE HAVE A FOUR PRONG EFFORT IN OUR BELIEF. HEALTH CARE, WE HAVE PARTNERED WITH THE LARGEST AFRICAN AMERICAN RUN OWNED AND OPERATED COMPANY IN THE STATE OF VIRGINIA TO BUILD AN 8,000 SQUARE FOOT MEDICAL CENTER. WE'VE BUILT SATELLITE FACILITIES IN THE STATE OF VIRGINIA AND OTHER FACILITIES, SO OUR RESIDENTS ROLL OUT OF BED, BE ABLE TO SEE A DENTIST, A

PEDIATRICIAN, A DOCTOR. THAT IS AN ELEMENT OF OUR PROGRAM THAT WE'D LIKE TO BRING TO THE MALIBU APARTMENTS. WE ALSO BRING EDUCATION. WE HAVE STATE OF THE ART SOFTWARE IN OUR LEARNING CENTERS FROM PRE K THROUGH HIGH SCHOOL. WE PROVIDE SAT AND PSAT SORT OF SOFTWARE FOR COLLEGE ADMISSIONS TO OUR HIGH SCHOOL GRADUATES. WE'VE PARTNERED WITH THE PAL TO PROVIDE A RECREATIONAL PROGRAM. WE BUILT STATE OF THE ART FITNESS EQUIPMENT, STATE OF THE ART RECREATIONAL COMMITMENTS ON OUR PROPERTIES. WE ALSO DO ECONOMIC DEVELOPMENT. WE PARTNER WITH LOCAL BUSINESS EXECUTIVES THAT COME IN AND TEACH OUR RESIDENTS HOW TO DRESS FOR INTERVIEWS, HOW TO WRITE RESUMES AND ENHANCE THEIR INTERVIEWING SKILLS. MALIBU APARTMENTS, I'M HERE TO URGE THE COUNCIL TO SUPPORT OUR APPLICATION. WE ARE THE NUMBER ONE RANKED APPLICATION ON THE STATE LEVEL AS OF TODAY. WE CURRENT IT'S LOCATED ON 8600 NORTH LAMAR AVENUE, CURRENTLY HAS 476 APARTMENTS, HOUSING. APPROXIMATELY 750 RESIDENTS. WE INTEND TO RENEW THE PHYSICAL ASSET BY SPENDING NEARLY \$13 MILLION IN RENOVATING THE COMMUNITY. WE'LL BUY NEW KITCHENS, NEW BATHROOMS. WE'LL ENHANCE THE CLUBHOUSE FACILITY BRINGING THIS 32 YEAR OLD PROPERTY INTO THE CURRENT YOU KNOW, MODERN SORT OF UP TO DATE UPGRADE. WE WILL WE WILL ENHANCE OUR SERVICES AND THE AMENITIES THAT THE CURRENT RESIDENTS DON'T HAVE. WE'LL BE PROVIDING 76 ADAPTABLE UNITS FOR PEOPLE WITH DISABILITIES. AND I BELIEVE AS A FORMER STATE HOUSING OFFICIAL IT'S IMPORTANT FOR OUR ELECTED OFFICIALS NOT ONLY TO BALANCE EXPANDING THE SUPPLY OF AFFORDABLE HOUSING WHILE INCREASE FIXING AND RENEWING AND RENOVATING THE CURRENT EXISTING HOUSING STOCK AS WELL. LEFT UNRENOVATED, THIS PROPERTY HAS THE POTENTIAL FOR SINK INTO DISREPAIR AND TO DETERIORATION, BEING A DRAG ON THE LOCAL COMMUNITY. IN CONCLUSION, WE AGAIN THANK YOU FOR GIVING ME THE TIME TO SPEAK AND INTRODUCE MYSELF. WE WOULD URGE THE COUNCIL TO SUPPORT ALL AFFORDABLE HOUSING APPLICATIONS TO THE STATE. I THINK THAT IS THE ONE WAY TO ENSURE THAT THE CITY OF AUSTIN DOES GET AWARDED A PROJECT IN THIS FUNDING ROUND THIS YEAR, AND HAVE CONSTRUCTION STARTED IT. IN THIS DOWNTURN ECONOMY, WE WILL START OUR \$13 MILLION RENOVATION 45 DAYS AFTER WE CLOSE ON THE PROJECT, SOMETIME IN SEPTEMBER OR OCTOBER, SO WE'LL BE BRINGING JOBS NOT ONLY FROM CONSTRUCTION, WE'LL BE LOOKING TO PARTNER WITH LOCAL HEALTH CARE PROVIDERS TO PROVIDE SERVICES, LOCAL SOCIAL SERVICES PROVIDERS TO DO OUR EDUCATION PROGRAM AND TUTOR OUR KIDS. AS A FORMER STATE HOUSING OFFICIAL AND AS A PERSON THAT'S BEEN NOMINATED TO THE NEW YORK STATE HOUSING FINANCE AGENCY BY OUR CURRENT GOVERNOR, I APPRECIATE THE POLICY DECISIONS THAT YOU OFFICIALS HAVE TO DO WITH TARGET WITH LIMITED RESOURCES, BUT WE WOULD JUST HOPE THAT THAT EXPRESSION OF THE POLICY DOESN'T OCCUR IN THE MIDDLE OF THIS COMPETITIVE AND FAIR APPLICATION PROCESS. AND I'M HAPPY TO TAKE QUESTIONS.

MAYOR WYNN: THANK YOU, MR. MULLHOLLAND. QUESTIONS FOR ROYCE, COUNCIL?

MAYOR, CAN I LEAVE THIS WITH SOMEONE?

MAYOR WYNN: YOU MAY, IF YOU LEAVE IT WITH OUR CLERK SHE'LL MAKE SURE WE GET COPIES. THANK YOU, MR. MULLHOLLAND. LET'S SEE. I BELIEVE THAT'S ALL THE FOLKS THAT SIGNED UP TO GIVE US TESTIMONY ON THIS ITEM, NO. 49. AGAIN, ON OUR CONSENT AGENDA. I'M NOT SURE MS. SHAW IS IN THE BACK, AND I GUESS MR. PENA HAD A QUESTION, IF WE COULD SHED A LITTLE BIT OF LIGHT, MS. SHAW, WE'D APPRECIATE THAT.

GOOD MORNING. MARGARET SHAW, NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT. IF I UNDERSTAND MR. PENA'S QUESTION, I NEED TO CLARIFY IT ON WITH HIM, WAS WHERE WAS THIS GEOGRAPHICAL LOCATIONS OF TOD'S AND THE MILLER REDEVELOPMENT AREA CHOSEN OVER OTHER AREAS, AND THOSE HAVE BEEN PART OF THIS ACTION ITEM. THE POLICY OF COUNCIL IS TO RANKED THE TRANSIT ORIENTED DISTRICTS AND MILLER, AND AS WE SAID, THEY WOULD TAKE PRECEDENCE BUT WE WOULD SUPPORT ALL THE DEALS THAT ARE BEFORE THE TDHC BOARD FOR LOW INCOME HOUSING TAX CREDITS. AND I THINK AS PART OF MY DISCUSSION WITH COUNCIL MEMBERS TOO, WE WILL LOOK FORWARD TO HAVING MEETINGS TO OUR STAKEHOLDERS AND HELPING SET CRITERIA FOR NEXT YEAR'S ROUND TOO SO EVERYONE UNDERSTANDS WHAT THE RANKINGS AND PRIORITIES ARE. I'M HAPPY TO ANSWER ANY OTHER QUESTIONS IF WE HAVE THEM.

MAYOR WYNN: THANK YOU, MARGARET. QUESTIONS FOR MS. SHAW ON THIS ITEM, COUNCIL? COUNCIL MEMBER.

SHADE: SHADE [INAUDIBLE] MAKE A COMMENT AS ONE OF THE SPONSORS OF THIS. ACTUALLY THIS CITY HAS A PRETTY EXPENSIVE PRIORITY SYSTEM AND A SCORING FOR ITS OWN AWARDING OF GEO BONDS, INCLUDES PRIORITY LOCATIONS, INCLUDES PRESERVATION OF EXISTING AFFORDABLE UNITS. WHAT WE'RE TALKING ABOUT IS A STATE PROCESS, WHICH HAS A DIFFERENT EVALUATION CRITERIA, AND THIS IS THE FIRST TIME IN A NUMBER OF YEARS WE'VE HAD MULTIPLE PROJECTS. ACTUALLY, THE CITY'S POLICY DOES INCLUDE EXTRA POINTS FOR PRIORITY LOCATIONS, WHICH ARE IDENTIFIED AS VMU, PUD'S OR TOD'S, TRANSIT ORIENTED DEVELOPMENT AND ALSO WE HAVE RESOLUTIONS AND ORDINANCES ON THE BOOKS SINCE 2005 THAT DO INSTRUCT STAFFER TO DO WHAT IT CAN TO GET TOD'S. WE'VE ALSO RECENTLY SUPPORTED AND PASSED STATION AREA PLANS YET AGAIN, EMPHASIZING TO DO SO IN PROJECTS LIKE MILLER. SO THE PURPOSE OF THIS RESOLUTION IS TO SAY WE SUPPORT ALL DEALS, AS MS. SHAW HAS SAID, AND THAT OF THE THREE THAT ARE IN THE FINAL GROUP, TWO OF THEM HAPPEN TO BE IN TOD'S, AND ONE IN A TOD AND ONE IN MILLER. SO AS ELECTED OFFICIALS IT'S OUR JOB TO REINFORCE WHAT THESE PRIORITIES ARE, AND IF THE STATE DOES HAVE A PROCESS WHERE THEY ALLOW FOR INPUT, AND SO WE'RE GIVING THAT INPUT, WHETHER IT'S USED IN ANY KIND OF STATE SCORING SYSTEM IS YET TO BE DETERMINED. BUT I FEEL REALLY PROUD OF THE FACT THAT WE'VE HEARD FROM HOUSING ADVOCATES, LOCAL DEVELOPERS WHO HAVE PROJECTS AT MILLER AND AT THE TOD AND WHO HAVE VERY STRONG NEIGHBORHOOD

SUPPORT. I'M PROUD TO BE ABLE TO SUPPORT THIS RESOLUTION, AND AGAIN, TO MR. MULLHOLLAND AND THOSE FOLKS THAT ARE ON YOUR LOCAL TEAM, I APPRECIATE THE WORK THAT YOU'RE DOING AND I HOPE THAT ALL THE PROJECTS IN THE FINALIST GROUP GET FUNDED. I REALLY DO.

MAYOR WYNN: THANK YOU, COUNCIL MEMBER. AGAIN, SO FURTHER COMMENTS ON THIS ITEM, ITEM NO. 49 ON OUR CONSENT AGENDA? AND IF NOT, I BELIEVE THAT'S ALL OF OUR CITIZEN TESTIMONY ON OUR CONSENT AGENDA. SO WITH THAT I'LL OPEN IT UP TO COMMENTS FROM COUNCIL. AGAIN, WE HAVE ALL OF OUR ITEMS ON THIS WEEK'S COUNCIL AGENDA ARE TO BE APPROVED AS PART OF THE CONSENT AGENDA OTHER THAN ITEM 56, WHICH IS TECHNICALLY JUST SETTING A PUBLIC HEARING. WE'RE GOING TO DELAY THAT VOTE UNTIL AFTER WE HAVE OUR MORNING PRESENTATION. WE'LL JUST REMEMBER THAT ITEM NO. 77 HAS BEEN WITHDRAWN, ITEM NO. 38 HAS BEEN POSTPONED INDEFINITELY. OTHERWISE ALL THESE ITEMS ARE ON OUR CONSENT AGENDA. COMMENTS FROM COUNCIL? COUNCIL MEMBER COLE? [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS.]

THE EXTENSION HAS TO BE REQUESTED PRIOR TO THE EXPIRATION OF THE CYCLING.

I SIMPLY WANT TO ASK TO YOU BRING BACK SOME MORE INFORMATION TO MY OFFICE OR ACTUALLY TO THE WHOLE COUNCIL ABOUT THE FEASIBILITY OF ALLOWING A DEVELOPER TO ASK FOR THAT POTENTIAL ADMINISTRATIVE EXTENSION BEFORE THE END OF THE SITE PLAN PERIOD.

THEY DO NOT LIMIT HOW EARLY THEY CAN REQUEST THE EXTENSION. NORMALLY IT IS REQUESTING LESS THAN IF THE SITE PLAN IS GOING TO EXPIRE IN LESS THAN A YEAR, BUT IT COULD BE REQUESTED AT ANY TIME IN THE PROCESS. TYPICALLY, WHEN SOMEONE REQUESTS AN EXTENSION, WE DO ATTEMPT TO HAVE THEM REVISE THE SITE PLAN TO INCORPORATE ANY RECENT CHANGES THAT HAVE BEEN MADE IN CITY REGULATIONS, SUCH AS NEW STANDARD DETAILS OR ANY OTHER REQUIREMENTS THAT THE COUNCIL MAY HAVE ENACTED, SO THE CLOSER IT IS TO THE EXPIRATION DATE, THE MORE CURRENT IT WILL BE WHEN IT IS GRANTED.

SO UNDER YOUR UNDERSTAND THEY COULD REQUEST THAT EXTENSION NOW AND STILL GO THROUGH THE SAME PROCESS AND YOU ALL WOULD EVALUATE HOW CURRENT THEY ARE WITH SECURITY CODES.

THAT'S CORRECT.

OKAY. THANK YOU.

MAYOR WYNN: FURTHER COUNCIL COMMENTS ON OUR CONSENT AGENDA? COUNCIL MEMBER SHADE.

COUNCIL MEMBER SHADE: I WANT TO EXPLAIN WHY THE REASON THIS ITEM, WHY WE ASKED IF THIS PROCESS IS CHANGING SITE, AUTOMATICALLY ADDING TIME TO SITE EXTENSIONS IS BECAUSE WE'RE ALREADY IN THE ADMINISTRATIVE PROCESS IN CIRCUMSTANCES WHERE IT IS NECESSARY FOR AN EXTENSION TO BE GRANTED AND I JUST WANT TO SAY THAT WE'RE GOING TO PROBABLY BE SEEING MORE AND MORE OF THESE REQUESTS BECAUSE OF THE FINANCIAL SITUATION THAT WE'RE IN AND I WOULD JUST LIKE TO ASK STAFF TO DO AS MUCH AS THEY CAN IN THESE ECONOMIC TIMES TO HELP MAKE IT AS SMOOTH A PROCESS AS POSSIBLE BECAUSE PEOPLE FINANCING NOW, YOU KNOW, 12 MONTHS EXTENSION, IS A BIG DEAL WHEN YOU'RE TRYING TO LINE UP YOUR FINANCING. SO THAT WOULD BE MY REQUEST AND EXPECTATION IS WE WILL BE SEEING A LOT OF THE PROJECTS ON HOLD.

MAYOR WYNN: THANK YOU, GEORGE. ANY FURTHER COMMENTS ON OUR CONSENT AGENDA? WE HAVE A MOTION AND A SECOND ON THE TABLE. HEARING NONE, ALL THOSE IN FAVOR, PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF 7 0. THANK YOU ALL VERY MUCH. APPRECIATE YOUR PATIENCE. SO TECHNICALLY, COUNCIL, WE DON'T HAVE A CLOSED SESSION AGENDA FOR THE DAY, AND WE HAVE NO DISCUSSION ITEMS TO TAKE UP PRIOR TO THE AFTERNOON BRIEFING, AND THEN US TAKING UP ITEM NUMBER 56, OUR SETTING OF THE PUBLIC HEARING, SO AT THIS TIME, WITHOUT OBJECTION, I WILL RECESS THIS MEETING OF THE OFFICE OF THE CITY COUNCIL UNTIL NOON. WE WILL RECONVENE AT 10:00 NOON SHARP FOR OUR GENERAL CITIZEN COMMUNICATIONS. WE'RE NOW IN RECESS.

WE'RE RETURNING AT THE NOON HOUR, AS USUAL. OUR FIRST SPEAKER THIS AFTERNOON IS GUS PENA. WELCOME BACK, MR. PENA. YOU WILL HAVE THREE MINUTES, TO BE FOLLOWED BY CARMEN LLANES.

GOOD AFTERNOON, MAYOR, COUNCIL MEMBERS. CITY MANAGER GUS PENA, I WANT TO THANK YOU FOR ANOTHER MEETING TO LIVE ANOTHER DAY. IT IS A TRYING EXPERIENCE, WE LOST A NEPHEW IN MEXICO AND HE WAS MURDERED AND AUTHORITIES ARE TRYING TO FIND OUT WHY. HE WAS A BAND MEMBER. ANYWAY. I'M HERE TO DISCUSS THE ISSUES, SUCH AS DISCUSS THE BUDGET, CRIME IS ON THE INCREASE, WE NEED MORE OFFICERS ON THE STREETS. PLEASE INCREASE FUNDING FOR SOCIAL SERVICE AGENCIES, WE NEED IT FOR THE NEEDY, HOMELESS, SENIOR CITIZENS IN THIS ECONOMIC DOWN TURN. THE RATE OF SUICIDE IS HIGHER IN THIS WAR THAN THAT WAS BEFORE, MEAN VIETNAM, WE HAD A HIGH SUICIDE RATE IN VIETNAM AMONG VETERANS. VETERANS NEED HELP. PLEASE SUPPORT THIS STIMULUS PACKAGE. I SAW THE GOVERNOR AT THE CAPITAL AND I DID STRONGLY URGE HIM TO ACCEPT THIS STIMULUS MONEY IN THIS PACKAGE. HE IS OPPOSED TO IT. I UNDERSTAND ABOUT THE UNEMPLOYMENT INSURANCE ISSUE, BUT COUNCIL MEMBER, THOSE OF YOU WHO HAVE MET REGARDING THE MORRIS WILLIAMS GOLF COURSE, WE UNDERSTAND AND I'M GOING TO GIVE YOU A HAND OUT AND I APOLOGIZE FOR THE BAD PENMANSHIP, I NEVER WAS A GOOD WRITER IN SCHOOL BUT WE'RE NOT TALKING ABOUT ALLOCATING AND BRINGING PARITY EQUITY, IT IS IN EAST AUSTIN AND HAS BEEN NEGLECTED FOR A LONG TIME. WE'RE SAYING PLEASE LOOK AT THE SITUATION AND WHEN

THE FUNDING IS AVAILABLE, AND I WOULD ASK RESPECTFUL THREE SPEAK MR. OVERTON, I'M NOT SURE OF THE FUNDING MECHANISM BUT WE HAVE A LOT OF KIDS THAT WANT TO PLAY GOLF INSTEAD OF BASKETBALL, FOOTBALL, WHATEVER. WE'RE ON A HEALTH KICK, LOSE WEIGHT AND IT IS GOOD BECAUSE WE NEED A MORE HEALTHY, VIBRANT COMMUNITY, AND YOU DON'T WANT DIABETES, HEART CONDITIONS AND CANCER BEING BROUGHT UP BY OBESITY. A LOT OF KIDS WANT TO PLAY GOLF AND THEY'RE SUPPORTIVE OF MORRIS WILLIAMS GOLF COURSE TO BE GIVEN FAIR AND EQUITABLE FUNDING. I WANT TO THANK YOU FOR CONTACTING MR. OVERTON, I UNDERSTAND COUNCIL MEMBER LEFFINGWELL AND COUNCIL MEMBER MARTINEZ WENT ON A JOINT TOUR. I KNOW COUNCIL MEMBER SHADE, I KNOW YOU'RE SUPPORTIVE TO BRING ABOUT THE AWARENESS OF THE EDUCATION PROCESS. WE KNOW THE FUNDING IS NOT THERE WE'RE NOT ASKING FOR FUNDING BUT WE'RE ASKING FOR PEOPLE TO LOOK AT THE SITUATION AND IN THE FUTURE DO WHAT IS FAIR AND RIGHT. IT HAS BEEN NEGLECTED FOR MANY YEARS. ANYWAY, LET ME JUST WRAP UP IN SAYING THIS, MR. MAYOR, YOU KNOW I SUPPORTED YOU WHEN YOU RAN FOR COUNCIL, IT WAS MY RECOMMEND DAY AND I SUPPORT YOU AND THANK YOU FOR YOUR LEADERSHIP, SIR. I DON'T CARE WHAT ANYBODY ELSE SAYS, WHATEVER ARTICLE [LAUGHTER] I DON'T MEAN TO SAY THIS OR EMBARRASS YOU, YOU'RE VERY MUCH APPRECIATED. ANYONE THAT CAME INTO THIS TOUGH COMBAT AREA, WE RESPECT YOU. MY WIFE SAYS SHE CAN BRING IN HER LATINO LADIES TO SUPPORT YOU ALL AND KEEP UP THE GOOD WORK. I KNOW YOU ARE DOING A GOOD JOB YOU WOULD TRYING TIMES. DON'T BE EMBARRASSED. I WANTED TO GIVE ACCOLADES TO THOSE THAT DESERVE IT. IT IS A CHECK IN THE MAIL. NO, ANYWAY, KEEP UP THE GOOD WORK AND LET'S WORK ON THIS BUDGET.

THANK YOU, MR. PENA.

MY CONDOLENCES TO YOU.

MAYOR WYNN: AGREED. CARMEN LLANES, WELCOME BACK. YOU TOO WILL HAVE THREE MINUTES TO BE FOLLOWED BY LINDA YEATTS.

GOOD AFTERNOON. I WANT TO INVITE THE ENTIRE AUSTIN COMMUNITY TO CELEBRATE THE LIFE AND LEGACY OF CESAR CHAVEZ THIS SATURDAY, THE "SI SE PUEDE" MARCH. HE WAS BORN ON MARCH 31, 1927 IN YUMA, ARIZONA. AS A SECOND GENERATION FARM WORKER HE BECAME ONE OF THE MOST IMPORTANT ACTIVISTS IN THE NATION'S HISTORY. WE SEE PEOPLE WHO CONTINUE TO WORK FOR THE CAUSE OF UNITED FARM WORKERS. THIS SATURDAY WE WILL MARCH FROM THE CANTU PAN AT 10:00 A.M. THROUGH EAST AUSTIN AND INTO THE AMERICAN CULTURAL CENTER WITH EVENTS TO CELEBRATE CHAVEZ AND HIS LEGACY. HE IS A ROLE MODEL NOT ONLY FOR FARM WORKERS AND THE LATINO COMMUNITY, HE EXPRESSED THE NEED TO SUPPORT ALL THOSE WHO ARE DEPRESSED AND USE NONVIOLENCE, CIVIL DISOBEDIENCE TO CALL FOR JUSTICE AND EQUALITY. THIS IS WHY WE MARCH EVERY YEAR AND HOLD EVENTS TO RECOGNIZE THE ADVOCACY FOR THE RIGHTS OF CHILDREN, WOMEN, FARM WORKERS AND ALL PEOPLE. WE GATHERED AT CITY

HALL TO HEAR SPEAKERS SUCH AS LLOYD DOGITT. THEY ENJOY LOCAL MUSIC AND WORDS FROM OTHER SPEAKERS, SUCH AS FORMER COUNCIL MEMBERS AND COMMISSIONERS. WHILE PAYING TRIBUTE TO CHAVEZ AND HIS MESSAGE THAT ALL OF US CAN WORK TOGETHER TO BRING A BETTER QUALITY OF LIFE TO ALL. WE MUST ALL STAND FOR FAIR WAGES AND SAFE WORKING CONDITIONS ON AMERICAN FARM LANDS. THIS YEAR, WE WILL GATHER ON SATURDAY AT 10:00 IN FRONT OF THE CANTU PAN REC CENTER ON EAST THIRD AND MARCH TO THE AMERICAN CULTURAL CENTER FOR THE ENTERTAINMENT. WE WOULD LIKE TO THANK OUR CITY SPONSORS, CITY OF AUSTIN, MEXICAN AMERICAN CULTURAL CENTER AND THE AUSTIN PARKS AND RECREATION DEPARTMENT. WE WOULD LIKE TO THANK OR GRASS ROOTS COSPONSORS COMMITTEE AND YOU CAN SEE THEM ON THE WEB SITE. YOU CAN CONTACT PODER AT 472 9921. [SPEAKING SPANISH] AND AS CHAVEZ ONCE SAID, WE HAVE A POWER THAT COMES FROM THE JUSTICE OF OUR CAUSE, SO LONG AS WE'RE WILLING TO SACRIFICE FOR THAT CAUSE, SO LONG AS WE PERSIST IN NONVIOLENCE AND SPREAD THE MESSAGE OF OUR STRUGGLE, THEN MILLIONS OF PEOPLE FROM AROUND THE WORLD WILL RESPOND FROM THEIR HEARDS AND WE WILL PREVAIL. THANK YOU.

THANK YOU MISS LLANES. [APPLAUSE]

MAYOR WYNN: LINDA YEATTS. IF I PRONOUNCED THAT CORRECTLY, VUL THREE MINUTES, TO BE FOLLOWED BY RONNIE GJEMRE.

I ALSO WOULD LIKE TO THANK YOU, COUNCIL MEMBER, CITY MANAGER. I KNOW YOU PUT IN HORRENDOUS HOURS, YOUR DEDICATION IS COMMENDABLE AND YOUR HARD WORK AND THESE ARE TOUGH ECONOMIC TIMES. THE REASON I'M HERE TODAY TO TALK TO YOU AGAIN CRIME, I'M VERY CONCERNED, I'M REPRESENTING NEIGHBORHOODS AND NEIGHBORHOOD ASSOCIATIONS. WE'VE SEEN CRIMES CONTINUE TO ESCALATE, ESPECIALLY IN SECTORS ... OKAY, AUDIO TECHNICAL. HERE WE GO. ESPECIALLY IN THE SECTORS CENTRAL EAST, SOUTH CENTRAL, NORTHEAST, NORTH CENTRAL. CENTRAL EAST APPEARS TO BE PRETTY MUCH THE MEDIAN POINT. TO ME, IT IS VERY SCARY WE'VE REDUCED APD'S BUDGET BY \$8 MILLION WHEN THEY CURRENTLY DO NOT HAVE ENOUGH STAFF TO HANDLE THE VIOLENT CRIME IN THE CITY. I'M NOT COMPLAINING IN ANYWAY ABOUT THE EFFECTIVENESS OF APD, I THINK THEY DO AN AMAZING JOB WITH THE FEW OFFICERS THAT THEY HAVE. THEY DO NOT HAVE ENOUGH FEET ON THE STREET. IT IS A VERY LARGE CONCERN TO ME AND TO OTHER NEIGHBORHOODS, BUT I CAN'T GET THIS TO WORK. OKAY. IT'S A VERY LARGE CONCERN TO ME THAT WE'RE CONTINUING TO HIT THE BUDGET OF APD CAN WHEN THEY DON'T HAVE ENOUGH TRAFFIC. WHAT I WOULD LIKE TO SUGGEST AND WHAT SEVERAL OF US HAVE LOOKED SAT INSTEAD OF THE \$8 MILLION PROPOSED IN APD REDUCTION, WE LOOK AT THE LARGE BOND DOLLAR PACKAGES FOR QUICK HITS. FOR INSTANCE, WALLER CREEK IS A \$1.27 MILLION EFFORT THAT IS GOING TO COST \$2.6 MILLION IN MAINTENANCE AND OPERATIONS FOR WALLER CREEK. THERE IS AN ANNUAL AMORTIZATION OF \$27 MILLION, ASSUMING IT IS A TAX FREE NOTE, 30 YEARS AT 3%. THAT IS A \$6.4 MILLION. TOTALING \$9 MILLION. I WOULD LIKE COUNCIL TO SHOW THE CITIZENS THAT TIF AREA 17 CAN GENERATE \$9 MILLION IN ANNUAL REVENUE IN EXCESS OF THE CURRENT PROPERTY

TAX REVENUES IN A FALLING REAL ESTATE MARKET. ON OUR WEB SITE IN THE CITY FOR 1987 AND '88, DURING THE RECESSION, IT STATED IT WAS ALMOST AS BADS THAT ONE BUT PROPERTY VALUES DROPPED OVER 25%. IN THE DEBT SERVICES PART OF OUR WEB SITE, IT SAYS IN '88 THE CITY IMPOSED A \$25 MILLION CAP ON THE SALE OF FUNDS, THIS IS IMPLEMENTED TO CURB THE GROWTH OF BONDED INDEBTEDNESS AND THE IMPACT OF NEW DEBT ON THE CITY TAXPAYER. I'M ASKING UNDER THE TASK PROCESS THAT CITY COUNCIL, CITY MANAGER, PLEASE REVIEW THE APD STAFFING, HISTORICAL ALLOWANCE FOR PARTS OF CRIME HAVING SIX, SEVEN TIMES THE AMOUNT OF CRIME AS OTHER AREA IT IS IT IS HARD TO UNDERSTAND HOW ADDITIONAL REDUCTIONS IN APD'S BUDGET IS BEING CONSIDERED WHEN THEY DON'T HAVE ENOUGH NOW. I ADDRESSED WHAT WE NEED IN THE WAY OF OFFICERS FOR SOUTH CENTRAL. I WENT BACK AND LOOKED AT THAT AND BASED ON 2008 CRIME I FELT WE NEEDED TWO ADDITIONAL OFFICERS PER SHIFT FOR A TOTAL OF 14 OFFICERS TOTAL. WE DON'T HAVE THOSE ADDITIONAL OFFICERS. THEY'RE DOING THE BEST THEY CAN BY WORKING OVERTIME AND CONTINUED BUDGET IMPACTS REDUCES THE OVERTIME, REDUCES THE EFFECTIVENESS AND PUTS CITIZENS AND POLICE IN DANGER. ON THE PREVIOUS CHART, I HAD SOME QUESTIONS MARK. PLEASE GIVE US THE INFORMATION ON WHAT IS THE DIFFERENCE BETWEEN THE TIF AND WALLER CREEK TUNNEL AND WHAT IS COMING FROM GENERAL FUNDING. AND WHAT IS THE POINT THE GROWTH OF THE CITY CEASES TO PAY FOR ITSELF. HAS AUSTIN ALREADY SURPASSED THE CRIME. WE HAVE CRIME ISSUES WITH THE CURRENT POPULATION AND TRAFFIC AND WITH THE SAFE AND INFRASTRUCTURE. I THANK YOU FOR YOUR TIME.

MAYOR WYNN: THANK YOU. COUNCIL MEMBER MORRISON.

A COUPLE OF COMMENTS. MISS YEATTS. LINDA. YOOHOO, LINDA. I HAVE A QUESTION FOR YOU.

I WAS READY TO GET OUT OF HERE.

I KNOW, APPARENTLY QUICKLY.

I KNOW THAT WHEN WE SPOKE BACK IN AUGUST, I THINK IT WAS, ONE OF THE ISSUES THAT HAD ARAISEN IN TERMS OF YOUR AREA REALLY HAVING A NEED FOR MORE STAFFING WAS THAT WE WERE JUST GETTING UNDER WAY WITH THE NEW POLICE STOPPING APPROACH THAT YOU HAD BROUGHT IN SO THAT MORE OFFICERS WOULD BE AVAILABLE TO THE HOT SPOT AREAS, SO THEORETICALLY THAT WOULD HAVE BROUGHT MORE OFFICERS TO YOU ALL IN TIMES OF NEED. DO YOU HAVE ANY REACTION TO THAT OR ANY OBSERVATION ABOUT HOW THAT IS WORKING AND IF THAT IS ADDING SOME BENEFIT?

WELL, AS THE PREVIOUS CHART SHOWED, THE CRIME HAS STILL GONE UP IN SOUTH CENTRAL. DO WE SEE MORE VISIBILITY OF OFFICERS BUT MY CONCERN IS, WE'VE SEEN ... I WORK WITH NORTH CENTRAL SPIN, NORTHEAST AUSTIN AND BE EAST CENTRAL AND WHAT WE SEE IS THE REDUCED CRIME IN ONE OF THE HOT SPOTS AND THEY JUMP UP I 35 AND GO

TO ANOTHER SECTOR. SO THE PROBLEM IS WE DON'T REALLY HAVE ENOUGH OFFICERS FULL TIME. I KNOW IN THESE BUDGET TIMES WE CAN'T ADD OFFICERS BUT IF WE START REDUCING THE OVERTIME THROUGH BUDGET REDUCTIONS, I'M REALLY CONCERNED WE'RE GOING TO SEE MORE AND MORE CRIME SPIKES. WE'VE ALREADY BEEN ON CNN WITH PEOPLE RUNNING AROUND WITH KEVLAR VESTS AND AK 27s. I GET CONCERNED WHEN I SEE THE CRIME.

I KNOW WITH THE PROGRAM AND RECOVERY MONEY THERE ARE OPPORTUNITIES FOR GETTING FUNDS FOR MORE POLICE AND SO I'M SURE THE STAFF ARE LOOKING AT THAT AGGRESSIVELY AS THEY ARE WITH ALL OPPORTUNITIES THERE. SO HOPEFULLY, SOMETHING CAN WORK OUT. I ALSO WANT TO MENTION THAT IN GENERAL, ALL OF OUR TIFs RELY ON ASSUMPTION, AND I SPOKE WITH THE CITY MANAGER ABOUT BEING ABLE TO TAKE A LOOK AT SUSTAINABILITY AND ASSUMPTIONS IN TIFs AND WHETHER WE NEED ADJUSTMENTS. I THINK THERE IS SOME OF THAT THAT DOSE ON ON A NORMAL, IN A NORMAL WORLD THAT I THOUGHT PARTICULARLY NOW THAT THAT WAS IMPORTANT INFORMATION FOR US TO LOOK AT, AND I DON'T KNOW IF THERE IS A TIME LINE THAT WE MIGHT EXPECT, ESPECIALLY IF THE PUBLIC IS INTERESTED IN THAT KIND OF INFORMATION. TURN THAT OVER TO THE CITY MANAGER.

I DON'T HAVE A TIME LINE AS FAR AS REVALUATION OF THE PERFORMANCE ASSOCIATED WITH TIF. THAT WORK IS GOING ON AND IN FAIRLY SHORT ORDER WE WILL HAVE A REPORT.

MAYOR, I HAD A BRIEF COMMENT. I WANTED TO ADDRESS THE INFORMATION THAT I HAVE ABOUT YOUR CONCERNS ABOUT WALLER CREEK. THAT IS A TIF AND THE DEVELOPMENT, THERE IS CURRENT DEVELOPMENT SCHEDULED TO GO IN AHEAD OF TIME. WE HAVE NOT EVEN BEGUN THE WORK ON THE TUNNEL AND INITIAL FUNDING FOR IT CAME FROM A 1987 BOND WHICH WAS \$25 MILLION THAT THE VOTERS APPROVED. SO I WANT YOU TO KNOW THAT WE ARE CAREFULLY WATCHING THAT TIF AND WANT TO MAKE SURE THAT THE PROPERTY VALUES CONTINUE TO GO UP AND THAT IT IS ABLE TO PAY FOR ITSELF, BUT RIGHT NOW IT IS CURRENTLY ON ...

GREAT, THANK YOU. MY CONCERN IS WE BUILD THIS BEAUTIFUL CITY AND THE CRIME GETS OUT OF HAND AND NO ONE COMES.

THANK YOU.

CAN I LEAVE NOW?

MAYOR WYNN: YOU MAY. I KNOW THE FEELING. [LAUGHTER] LET'S SEE, RONNIE GJEMRE. WELCOME BACK. YOU TOO WILL HAVE THREE MINUTES, TO BE FOLLOWED BY DEBBIE RUSSELL.

OKAY. I WANTED TO THANK YOU, MAYOR, FOR HONORING MY DECISION ON HOW TO

PRONOUNCE MY OWN NAME, WHICH MIGHT NOT SEEM ALL THAT IMPORTANT TO SOME PEOPLE BUT I'M TRYING TO HELP SAVE OUR WORLD. AND BRIEFLY, NOT TO BE CONFUSED WITH THE [INDISCERNIBLE] I'M TALKING ABOUT THE INDUSTRIAL CRIMINAL COMPLEX WHOSE NUMBER ONE MISSION BY THE WAY IS TO KILL EVERYONE AND TO KEEP UP THOSE PROFITS AT THE SAME TIME. AND THAT IS RIGHT, FELLOW WARRIORS, THE TIME IS RIGHT NOW TO JUST SAY NO TO VIOLENCE, GROW PEACE AND FREEDOM THROUGH LIBERTY. AND HOW ABOUT THAT OLD CAMPAIGN FOR LIBERTY DOT COM, FOR US OB GYM RON PAUL ENTHUSISTS. THAT IS WHAT DR. PAUL INSPIRED, FOREVER EXTRAPOLATING A ENTHUSIASM AND LOVE FOR INDIVIDUALISM AND THEY KEEP ON AND KEEP ON, C A M P A I G N, CAMPAIGNFORLIBERTY.COM. RONPAULLIBRARY.COM. L E W.COM. FREEPOTNOW AT YAHOO.COM. THAT IS A TOLL FREE CALL, PEOPLE, YOU CAN CALL 888 322 1414 WEEKLY AND THIS WILL BLOW YOUR MIND. ANYWAY, IT'S TO RON PAUL THAT HE IS A WALKING, TALKING FOUNDING FATHER AMONG US NOW. YOUR JOB, CHECK OUT HIS IDEAS. THAT IS ALL I ASK FOR DECADES NOW, DR. PAUL HAS BEEN DELIVERING 4,000 BABIES AND COUNTLESS PHILOSOPHICAL COMMON SENSE CONTRIBUTIONS TO HERE NOWED IN THE WORLD, SO REJOICE, PEOPLE, THE TIPPING POINT HAS FINALLY ABOUT ARRIVED AT. THE PSYCHOTIC HORRIFIC EXPLOSION OF SAIDISM, KIDNAPPING, VIOLENCE AND DEATH IS FINANCED AND INSTIGATED BY THE ILLEGAL DRUG, STATUS QUO, IS FILLING UP HERE FROM MEXICO, TODAY, AND I BELIEVE IT IS THE FINAL STRAW TO THE ONGOING UNSTOPPABLE IRREVERSIBLE FLOOD IN PUBLIC OPINION IN FAVOR OF ABSOLUTE FREEDOM FOR FARMER, FOR ALL FARMERS TO HELP FEED OUR FUTURE. AND GOD BLESS THOSE POT FARMERS WHO HAVE BEEN SAVING SEEDS FOR GENERATIONS AWAY FROM THE BIO SPHERE TERMINATING TENTACLES OF THE TRULY EVIL MONSANTO MULTI NATIONAL SPASM OF DEATH. OF COURSE, SINCE THE CONSTANT OBAMA TRIAL CHOSE TO CONTINUE THEIR CAMPAIGN, SO DO WE. WE' HEARD SIX DAY AS WEEK IN AUSTIN, 20 HOURS EACH DAY. THAT IS A SITE WITH WHOLE LOTS OF INFORMATION. IF YOU HAVE A PROBLEM PICKING UP 91.1 FM, CALL THE BACK UP PHONE LINE AT 512 646 5000. I USE IT ALL THE TIME FOR CALL INS DURING THE SHOW AND DOWN 800 259 2331 AND THERE ARE MANY OF MY FAVORITE SHOWS ON THE COMMUNICATIONS NETWORK. AND BRIEFLY, I HAVE TO MENTION THAT DR. ALBRECK FOLLOWS WITH ANOTHER GREAT ON LINE JOKE WITH PEACE, LOVE AND FREE DAM. THE MAIN THING HERE, MIRAGE OF A MESSIANIC OBAMA IS TOTALLY EVAPORATING FOR US PEACE LOVING PATRIOTS AND WE CAN ALL HAVE ONE LAST CHANCE RIGHT NOW TO HELP PROTECT AND DEFEND OUR CONSTITUTIONAL ENEMIES, FOREIGN AND ESPECIALLY DOMESTIC AND HOW ABOUT ALL GARDENERS, ASSUMED TO BE CRIMINALS, SUBJECT TO UNCONSTITUTIONAL LEGAL SEARCHERS GUILTY UNTIL PROVEN INNOCENT. NO, YOU CAN'T. VOMIT OBAMA. MY GARDEN IS MINE.

PLEASE CONCLUDE.

OKAY. THIS IS MY FINAL THING. BY THE WAY, SINCE 1996, ALL VOTERS, REPUBLICAN, DEMOCRAT, ALL INDEPENDENCE VOTERS IN 13 STATES OR COLONIES HERE AND MAN, MANY MUNICIPALITIES NATIONWIDE HAVE DECRIMINALIZED THEMSELVES IN RELATION MEDICINAL MARIJUANA. IN WASHINGTON THEY REPRIORITIZED THE CRIME FIGHTING

ABILITIES BY PROSECUTING MINIMAL MARIJUANA POSSESSION. INSTEAD IT IS MORE LIKE GETTING A TICKET. THANKS TO THE SHERIFF.

MAYOR WYNN: THANK YOU.

E MAIL ME.

MAYOR WYNN: GREAT. AND TO CONTINUE OUR DISCUSSION ON SMART LAW ENFORCEMENT, WELCOME MISS DEBBIE RUSSELL.

I LOVE SITCOM. I JUST WANTED TO START OFF MY TALK TODAY THAT WE HAVE HEARD THIS TIME AND AGAIN BUT IT SHOULDN'T BE FORGOTTEN THAT THE COMMUNITY, AUSTIN ADVOCATES ACROSS THE BOARD HAVE MANY SOLUTIONS TO MANY OF OUR PROBLEMS, AND WE EMPHASIZE TIME AND AGAIN INCLUSION AT THE TABLE FROM THE BEGINNING OF THE PROCESSES THAT, WHERE THE DECISIONS ARE BEING MADE, AND I THINK IT IS MORE IMPORTANT NOW THAN EVER TO REALLY CONSIDER THAT THAT WE BECOME A REALITY. LAST NIGHT, A COALITION OF ADVOCATES FOR HOMELESS AND SOCIAL SERVICES MET AND THEY PUT SOME NUMBERS TOGETHER AND I'M SAD TO ANNOUNCE THAT THEY AGREE ACROSS THE BOARD THAT WE'RE WELL OVER 10,000 HOMELESS IN THIS CITY NOW. I THINK THAT'S A GOOD 50% INCREASE IN THE LAST SIX MONTHS OR SO. AND THE NUMBER IS RAPIDLY GROWING. AS WE ENTER INTO THIS NEXT BUDGET CYCLE, NOW IS THE TIME, NOW, THIS MONTH, TODAY IS THE TIME TO BRING THESE PEOPLE TO THE TABLE AS WE'RE STARTING TO CRAFT THIS NEXT BUDGET. NOT IN AUGUST WHEN WE DON'T HAVE A SAY ANY MORE AND WE'RE MERELY LISTENING TO PRESENTATIONS AND RESPONDING WHILE IT IS ALREADY CONSIDERED A DONE DEAL. VERY RECENTLY, I'VE BECOME AWARE OF INCREASED APD ATTACKS ON HOMELESS COMMUNITIES, ON PRIVATE PROPERTY. THEY'RE GOING THERE WITHOUT PROBABLE CAUSE, WITHOUT SEARCH WARRANTS, AND THEY'RE INVADING TENTS WHICH YOU ACTUALLY ... WHICH ARE CONSIDERED A HOME IN PROPERTY TERMS, AND THEY'RE ARRESTING PEOPLE ON BOGUS CHARGES AND ANOTHER THING THAT APD IS DOING RIGHT NOW, TARGETING THE HOMELESS, IS THEY'RE CONSIDERING HOLDING A SIGN, FLYING A SIGN THAT THEY SAY AGGRESSIVE PANHANDLING. THAT PIECE IS ONE SENTENCE AND IT INVOLVES PHYSICAL INTIMIDATION. BUT LET'S LOOK AT THE BIGGER PICTURE AND IF THEY CAN PUT THAT UP ON THE SCREEN THERE AND FORGIVE THE TONGUE IN CHEEK TITLE, BUT WE KNOW THAT PUBLIC SAFETY IS ENHANCED WHEN SOCIAL SERVICE NEEDS ARE MET. WE'RE IN AN EMERGENCY SITUATION RIGHT NOW AND WE'RE GIVING MORE AND MORE MONEY TO APD TO CRACK DOWN ON THE AFFECTS OF HOMELESSNESS INSTEAD OF WHERE ... SPENDING IT AT THE FRONT END WHERE IT IS PENNIES ON THE DOLLAR, PENNIES ON THE DOLLAR TO ADDRESS THESE NEEDS TO GET LONG TERM SOLUTIONS TO WORK. WE NEED TRANSITIONAL HOUSING, WE ALL KNOW IT WILL. WE NEED TO SET THESE PRIORITIES, IT IS SOMETHING WE DON'T HAVE IN PLACE. WE DON'T HAVE PRIORITY. WE DON'T SAY THIS IS MORE IMPORTANT THAN THAT AND WE HAVE TO TAKE CARE OF THIS FIRST BEFORE WE FUND THAT. YOU KNOW, THE THREE MAJOR COMPONENTS OF WHAT THE CITY TAKES CARE OF, THEY'RE NOT ... THEY'RE NOT

PRIORITIZED OVER EACH OTHER BUT THEY WORK TOGETHER. THEN, ONCE WE SET THOSE PRIORITIES WITH BUDGET ACCORDINGLY AND NOT COMPROMISE THOSE PRIORITIES, WE CAN'T PIT ONE AGAINST ANOTHER AND WE CAN'T PIT HOMELESS AGAINST THE POLICE, FIRE AGAINST LIBRARIES. THEN AFTER ALL THAT BASIC STUFF IS FUNDED, THEN WE CAN LOOK AT INCENTIVES AND LUXURY ITEM, BEAUTIFICATION ITEMS, ABOVE AND BEYOND. IF I CAN GET THAT SECOND ONE UP, I WILL POINT AN ITEM TODAY YOU APPROVED, ALMOST HALF A MILLION DOLLARS FOR A CAMERA, A BUNCH OF SOFTWARE, DATA BASE PROCESSING, A LOT OF IMAGES WE DON'T KNOW WHERE THEY'RE GOING TO GO TO MAYBE FIND A FEW STOLEN CARS. I KNOW IT WAS GRANT MONEY BUT CONSIDER THIS AN EXAMPLE COULD WE INSTEAD PUT 150 PEOPLE INTO SUBSTANCE ABUSE PROGRAMS AND GOTTEN THEM OFF THE STREET AND PERHAPS TAKEN CARE OF THEIR BARRIER TO BE ABLE TO TAKE CARE OF THEMSELVES. SO PLEASE CONSIDER THESE ITEMS WHEN YOU GO FORTH IN THE BUDGET AND CONSIDER THOSE AT THE TABLE WITH A LOT OF CREATIVE, VERY WORKABLE SOLUTIONS. THANK YOU.

MAYOR WYNN: THANK YOU, MISS RUSSELL. COUNCIL MEMBER MORRISON.

AGAIN, BACK IN THE STIMULUS FUND, THERE IS A JUSTICE ASSISTANCE GRANT THAT IS COMING DOWN, BEING ALLOCATED TO THE CITY ITSELF AND NONCOMPETITIVE ALLOCATION, AS I UNDERSTAND IT, 1.7 MILLION IS COMING TO THE CITY OF AUSTIN AND THAT IS A GRANT THAT CAN BE USED TO ENHANCE LAW ENFORCEMENT, NOT JUST BY PUTTING COPS ON THE STREET BUT ALSO DRUG TREATMENT PROBLEMS, DRUG TREATMENT PROGRAMS, IT CAN BE USED FOR THAT SO IT IS A GREAT OPPORTUNITY FOR US TO BE ABLE TO START WORKING ON SOME OF THOSE ROOT PROBLEMS, BUT YOU'RE ABSOLUTELY RIGHT, WE NEED TO BE ABLE TO GET SOME MONEY THERE ALSO.

MAYOR WYNN: THANK YOU, ALL. OUR NEXT SPEAKER IS RAE NADLER. WELCOME BACK, RAY. YOU TOO WILL HAVE THREE MINUTES, TO BE FOLLOWED BY NEITH MADDOX.

GOOD AFTERNOON, MAYOR WYNN AND COUNCIL MEMBERS. TOMORROW THROUGH SATURDAY THE INTERNATIONAL ASSOCIATION OF ORAL MEDICINE AND TOXICOLOGY WILL HOLD ITS ANNUAL MEETING IN SAN ANTONIO. THIS IS A WORLDWIDE NETWORK OF PROFESSIONALS, CHIEFLY DENTISTS, BUT ALSO HYGIENISTS, PHYSICIANS AND RESEARCH SCIENTISTS CONCERNED WITH TOXICITY ISSUES. THE MISSION STATEMENT READS AS FOLLOWS: TO PROMOTE THE HE HEALTH OF THE PUBLIC AT LARGE BY EXAMINING SCIENTIFIC RESEARCH FOR ORAL AND DENTAL MATERIALS TO MAKE SURE THEY ARE INFORMED USE IN CLINICAL PRACTICE. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

FLUORIDE, WHEN IT DISSOLVES, IS THE USUAL SORTS OF FLUORIDE IN NATURALLY FLUORIDATED WATER, AND WHENEVER YOU DRINK THE HARMFUL FLUORIDE ITEMS YOU'RE GETTING AN EQUAL AMOUNT OF CALCIUM TO MITIGATE THE BAD EFFECT. OF COURSE THEY HAVE OTHER USES THAN THE ORNAMENTAL. IT'S UTILIZED FOR METAL SMELTING AND

URANIUM AND IS MINED FOR THAT PURPOSE. THE FLUORIDE USE FOR WATER FLUORIDATION IS NOTHING LIKE THIS. IT'S CHEMICAL COMPOUNDS NOT FOUND IN NATURE, BYPRODUCTS OF THE PHOSPHATE FERTILIZER INDUSTRY AND RICHLY CONTAMINATED WITH LEAD, ARSENIC, ALUMINUM AND OTHER THINGS YOU DON'T WANT. THE NEXT TIME YOU HEAR WE'RE ONLY ADJUSTING THE WATER'S NATURAL FLUORIDE CONTENT UPWARD, DON'T BELIEVE IT. IT JUST ISN'T SO. THANK YOU.

MAYOR WYNN: THANK YOU. LET'S SEE, IS MS. MADDOX HERE? WELCOME. IF YOU DON'T MIND I'LL JUST SET THE CLOCK FOR SIX MINUTES AND WELCOME FOR YOUR PRESENTATION, AND YOU'LL BE FOLLOWED BY RICK RANDALL.

THANK YOU.

THANK YOU, MAYOR, COUNCIL MEMBERS. I AM THE EXECUTIVE DIRECTOR AND FOUNDER IN AUSTIN CALLED ETHIC LIVING. OUR GOAL IS TO RESTORE THE BALANCE. AND TODAY I'M HERE TO PROPOSE TO THE CITY TO IMPLEMENT CONSISTENCY INFRASTRUCTURE BUT ALSO FOR INTRODUCTION WHAT WE ARE DOING AND WHAT WE COULD BE DOING. OVER HERE I WANT TO SHOW WHAT WE'RE DOING IN TERMS OF THE ECOSYSTEM INFRASTRUCTURE. FOR THIS PROGRAM WE HAVE TO DIVIDE IT INTO FOUR SUBPROGRAMS, WHICH ARE BASICALLY ROOF GARDENS, GREEN GARDENS AND WHITE GARDENS, AND SOME OF THE CITIES AS YOU CAN SEE IN THIS LIST ARE ACTUALLY IMPLEMENTING SOME OF THESE ECO SYSTEMS INFRASTRUCTURE, AND THEY HAVE PROGRAM ELEMENTS ALREADY SET UP FOR THAT. WE ARE ON THE LIST UNFORTUNATELY, AND I WOULD LIKE TO SEE AUSTIN IN THIS MOVE GREEN. WE ARE ACTUALLY IN THE FOREFRONT OF THE BUILDING, BUT I TRULY BELIEVE THAT WITH A LITTLE BIT MORE EFFORT WE COULD BE IN THIS LISTING THE NEXT TEN YEARS OR I MEAN, NOT IN THE LISTING HERE. IN THE NEXT YEAR, AND WE COULD BE REALLY IN THE FOREFRONT IN THE NEXT TEN YEARS. OVER HERE I WANT TO SHOW WHAT OTHER CITIES WHAT THE OTHER CITIES DID TO ACTUALLY ARRIVE TO THAT CONCLUSION OF, WELL, WE WILL IMPLEMENT THESE AND HOW WE'RE GOING TO ACTUALLY DO THAT. AND FOR INSTANCE, NEW YORK CITY, THEY THE SAME WITH CHICAGO, MILWAUKEE. SOME OF THEM SPENT MORE MILLIONS THAN OTHERS. SOME OF THEM TOOK MORE TIME THAN OTHERS, BUT REALLY, ALL OF THEM SAW THAT THE END WE HAVE THEY HAVE SO MUCH MORE SAVINGS OVER WHAT THESE PILOT PROJECTS COST. AND THIS IS WHAT WE REALLY BELIEVE THAT THE CITY OF AUSTIN COULD BE DOING AS AN EFFORT TO IN THE FUTURE IMPLEMENT THE ECO SYSTEMS INFRASTRUCTURE. SINCE WE HAVE A VERY INTERESTING WEATHER, A LOT OF RAIN AND FLOODING FLASH FLOODING, THESE TOO PROBABLY COULD BE ALSO A RESEARCH PILOT RESEARCH THAT WILL BENEFIT OTHER COMMUNITIES AROUND THE WORLD BECAUSE THEY HAVE THIS WEATHER BUT MAYBE THEY DON'T HAVE THE MONEY TO DO THESE KIND OF PILOTS. AND THESE ARE SOME OF THE DEPARTMENTS THAT THE CITY OF AUSTIN COULD BENEFIT DIRECTLY FROM IMPLEMENTING THESE ECO SYSTEMS INFRASTRUCTURE. FOR EXAMPLE, THE AUSTIN CLIMATE PROTECTION PLAN, IT CAN ACTUALLY REDUCE A GREENHOUSE REDUCTIONS, AND WE COULD [INDISCERNIBLE] A LOT OF CARBON. I HEAR COUNCIL MEMBER MCCracken SAY IN THE

GRASS ACTUALLY SEQUESTERS A LOT OF BAMBOO AND BAMBOO TOO. AND BAMBOO ACTUALLY CAN GROW 15 FEET IN A YEAR. SO THAT IS A POSSIBILITY WHY WE COULD BE A CITY ACTUALLY BENEFITING FROM THAT TOO. CLEAN AIR, I ARRIVED HERE ABOUT TWO YEARS AGO, AND WHEN I ARRIVED, THE AIR WAS REALLY GOOD. IN TWO YEARS I HAVE SEEN MORE TRAFFIC AND A LITTLE BIT MORE POLLUTION IN THE AIR. IMPLEMENTING THESE WITH ALL THIS GREENERY WILL OBVIOUSLY HELP THE AIRBORNE PARTICLE ABSORPTION TOO. THE WATERSHED PROTECTION AND DEVELOPMENT OF COURSE WILL BE BENEFITED ENORMOUSLY BECAUSE OF THE REDUCTION OF PEAK EVENTS, SUCH AS FLASH FLOODING, AND ALSO THE COMBINES OVERFLOWS, AND OF COURSE THIS COULD IMPROVE THE WATER QUALITY. WE COULD ALSO RECHARGE THE AQUIFER BY INTRODUCING MORE RAIN GARDENS IN THE CITY. THE AUSTIN ENERGY, WELL, WHEN WE SET UP, FOR EXAMPLE, ROOF GARDENS ON TOP OF BUILDINGS, THAT WILL REDUCE THE ENERGY CONSUMPTION OF THE BUILDING, BUT ALSO IT WILL COOL THE WHOLE CITY AROUND, WHICH IN TURN WILL REDUCE THE ENERGY. AND ALSO YESTERDAY, COUNCIL MEMBER LEFFINGWELL WAS TALKING ABOUT HOW INSTEAD OF HOW WE COULD ACTUALLY REDUCE ENERGY BY REDUCING WATER CONSUMPTION, AND THIS IS KIND OF INFRASTRUCTURE THAT COULD USE ALL OF THESE. THE WATER, OF COURSE, WE CAN CONSERVE MORE WATER, AND WE CAN IMPROVE THE WATER THAT WE HAVE. ONE OF THE THINGS THAT WE COULD DO, BECAUSE THERE IS A NATURE WITH WATER IN REGARDS TO HOW WE WANT TO IRRIGATE, FOR INSTANCE, ROOF GARDENS, AND WHILE WE FLUSH OUR TOILETS WITH GREEN WATER, WE ACTUALLY DRINK OUR WATER, AND THERE IS SO MUCH GREAT WATER THAT WE CAN USE TO ACTUALLY IRRIGATE THE ROOF GARDENS OR TO PUT INTO THE RAIN GARDENS TO KEEP RECHARGING THE AQUIFER. THAT OF COURSE WILL HELP TO THE SEWER SYSTEM THAT IS NOW GOING TO BE OVERFLOWING ALL THE TIME. SOME OF THE OTHER BENEFITS THAT IMPLEMENTING THIS INFRASTRUCTURE WILL BE SOMETHING LIKE SUSTAINABLE LOCAL FOOD PRODUCTION, AND I HEAR YESTERDAY TALKING, SOME OF THE COUNCIL MEMBERS ABOUT FOOD. AND BASICALLY IT IS AN ISSUE WHERE WE HAVE MORE MORE MONEY TO BE SPENT AS CUSTOMERS, EVERYDAY LIFE, LESS PEOPLE WILL BE EATING ACTUALLY VEGETABLES. IS THIS THE SIX MINUTES?

THAT WAS THE SIX MINUTES. PLEASE TRY TO CONCLUDE.

AND SO THESE ARE SOME OF THE OTHER BENEFITS THAT THIS ECO SYSTEMS INFRASTRUCTURE COULD BENEFIT THE CITY FROM.

MAYOR WYNN: GREAT. THANK YOU. AND HOW COULD HOW COULD FOLKS BE IN CONTACT WITH YOU?

WELL, RIGHT NOW YOU COULD EMAIL US AT INFO AT ETHIC LIVING.ORG. THAT'S OUR NONPROFIT, ETHICLIVING.ORG. THANK YOU VERY MUCH FOR YOUR TIME.

MAYOR WYNN: YOU'RE WELCOME. THANK YOU. LET'S SEE. I BELIEVE RICK RANDALL IS SIGNED UP WISHING TO GIVE TESTIMONY. WELCOME BACK. YOU TOO WILL HAVE THREE

MINUTES TO BE FOLLOWED BY LARONDA LEWIS.

FOR HIS PRESENCE AND SUPPORT DURING OUR CRISIS WITH MELANIE WILKINSON AND ED CIBY WILSON'S FUNERAL, ON BEHALF OF THE APD FAMILY YOUR PRESENCE THERE WAS VERY MEANINGFUL FOR ALL OF US. FOR MR. MAYOR, MEMBERS OF THE COUNCIL, WE THE VOLUNTEER CHAPLAINS OF THE AUSTIN POLICE DEPARTMENT ARE ALSO PASTORS AND MINISTERS OF LOCAL CONGREGATIONS HERE IN THE CITY REPRESENTING SEVERAL THOUSANDS OF YOUR CONSTITUENTS. THE CHAPLAIN CORPS IS COMPOSED OF MEN AND WOMEN WHO GIVE OF THEIR TIME TO SERVE THE SPIRITUAL NEEDS OF THE AUSTIN POLICE DEPARTMENT FAMILY. WE WOULD LIKE TO THANK THE COUNCIL AND THE CITY MANAGEMENT FOR YOUR LEADERSHIP DURING THESE DIFFICULT ECONOMIC TIMES. WE RECOGNIZE THE AGONIZING CHOICES YOU FACE IN THIS PERILOUS FISCAL CLIMATE. A GREAT TEACHER SAID YOU SHOULD COUNT THE COST BEFORE TAKING ANY ACTION, AND THAT ADVICE WAS NEVER MORE NEEDED THAN NOW. SOMETIMES COSTS CAN BE EASILY ASSESSED AND SOMETIMES WHAT SEEMS TO BE BENEFICIAL IN THE SHORT RUN IS ACTUALLY MORE EXPENSIVE IN THE LONG TERM. THE ONGOING PRESSURE TO FURTHER CUT THE APD BUDGET IS SUCH AN ACTION AS EVIDENCED BY THE RECENT CONSIDERATION TO SAVE MONEY BY DISBANDING THE OFFICE OF COMMUNITY LIAISON FOR THE DEPARTMENT. THE COMMUNITY LIAISON IS RESPONSIBLE FOR OPERATION BLUE SANTA, NATIONAL NIGHT OUT, THE COMMUNITY OUTREACH, THE ELDERLY SERVICES OUTREACH, CRIME PREVENTION PROJECTS, THE CHAPLAINS PROGRAM AND THE COMMUNITY FAITH NETWORK TO MENTION JUST A FEW OF THEIR WORKS. SOME OF US REMEMBER THE TIME NOT SO LONG AGO WHEN A PREVIOUS COUNCIL CALLED ON THE AUSTIN POLICE DEPARTMENT TO IMPROVE ITS RELATIONS WITH THE COMMUNITY. IN AN ATMOSPHERE OF CRISIS AND DISTRUST, THE OFFICE OF COMMUNITY LIAISON WAS EXTREMELY EFFECTIVE IN BRIDGING THE GAP BETWEEN APD AND MANY OF THE CITIZENS IN THIS GREAT CITY. IT SEEMS IRONIC IN CREATING THAT COOPERATIVE CLIMATE AND REDUCING THE ANTAGONISM WOULD MAKE THEM POSSIBLY EXPENDABLE IN THE EYES OF SOME IN CITY MANAGEMENT. WE URGE THE COUNCIL TO EVALUATE VERY CAREFULLY ANY FURTHER ATTEMPTS TO CUT THE APD BUDGET. WE HAVE MOVED WELL PAST THE FAT AND THE MUSCLE AND ARE INTO THE BONE. PROGRAMS LIKE OCL GENERATE THOUSANDS OF HOURS OF VOLUNTEER SERVICES AND HUNDREDS OF THOUSANDS OF DOLLARS IN VALUE ADDED TO THE DEPARTMENT AND TO THE CITY BY VOLUNTEERS LIKE US. WITHOUT A DOUBT, PURSUING THIS COURSE OF ACTION COULD BE WHAT OUR BRITISH FRIENDS CALL PENNY WISE AND POUND FOOLISH. WE URGE YOU TO CAREFULLY CONSIDER AS YOU HEARD IN OTHER REMARKS TODAY ABOUT THE IMPACT THAT BUDGET CUTS ARE HAVING ON THE SERVICES THE DEPARTMENT IS ABLE TO DELIVER. WHAT WE WANTED TO DO TODAY WAS BRING A FACE IN THE FORM OF OCL AS TO WHAT SOME OF THOSE CUTS COULD MEAN. THANK YOU.

THANK YOU, MR. RANDALL FOR ALL YOUR WORK. [APPLAUSE] AND FINALLY I THINK LARONDA LEWIS HAS REJOINED US. WELCOME BACK, MS. LEWIS. YOU TOO WILL HAVE

THREE MINUTES.

I JUST HAVE A QUESTION TO ASK, AND THAT IS WHAT IS MY RIGHT WHAT'S MY RIGHT AS A CHRISTIAN IN THE WORKPLACE? BECAUSE I WAS, TO ME, WRONGLY FIRED, BECAUSE OF BEING A CHRISTIAN.

MAYOR WYNN: WELL, MY INSTINCT, MS. LEWIS, IS THAT WOULD BE AN APPROPRIATE QUESTION FOR YOUR FORMER EMPLOYER. YOU KNOW, MAYBE BOTH AS AN ORGANIZATION AND WHOEVER THE YOU KNOW, YOUR BOSS WAS AT THE TIME PERSONALLY.

WELL, I WAS TOLD THAT CHRISTIANS DON'T HAVE RIGHTS, SO I JUST WANT TO KNOW WHAT THEY WERE, BECAUSE THEY SAID SOMETHING ABOUT SEPARATION OF CHURCH AND STATE, SO THAT'S WHY I HAVE NO RIGHTS AS A CHRISTIAN. SO....

MAYOR WYNN: YES, MS. LEWIS DO YOU WORK OR WERE YOU WORK FOR THE CITY OF AUSTIN?

NO, BUT THE ONLY REASON THE COMPANY I WAS WORKING FOR WAS CONTRACTED WITH THE CITY OF AUSTIN, PARKS AND RECREATION DEPARTMENT.

WELL, THEN, MR. SMITH, IF YOU COULD PROBABLY HELP ME, THERE'S PROBABLY SOME FORMAT BY WHICH, EVEN IN THEORY, CONTRACT EMPLOYEES OF SOME CONTRACTOR FOR THE CITY COULD FILE SOME GRIEVANCE OR NOTIFICATION OF, YOU KNOW, SOME COMPLAINT THAT PERHAPS WE HAVE A PROCESS IN PLACE TO HELP. I KNOW THAT WE CERTAINLY HAVE THAT ABILITY FOR A CITY EMPLOYEE TO MAKE, YOU KNOW, SOME ASK FOR HELP TO REACH OUT TO FILE A COMPLAINT. I'M NOT SURE ABOUT A THIRD PARTY IN THIS CASE.

IF I MAY, I'LL PROBABLY ASK THE CITY ATTORNEY HERE TO WEIGH IN AS WELL, I WANT TO FIRST GET SOME CLARIFICATION ON WHO YOU WERE WORKING FOR, BECAUSE I DIDN'T QUITE UNDERSTAND YOUR RESPONSE TO THE QUESTION. YOU MENTIONED PAR, PARKS AND RECREATION DEPARTMENT. AS TO LET'S JUST DEAL WITH THAT PIECE FIRST. WERE YOU AN EMPLOYEE OF THE CITY'S PARKS AND RECREATION DEPARTMENT.

NO.

YOU WERE NOT.

NO.

SO YOU WERE AN EMPLOYEE OF SOME OTHER ORGANIZATION, NOT PART OF THE CITY.

RIGHT.

BUT THAT ORGANIZATION THAT EMPLOYED YOU WAS DOING WORK WITH THE PARKS DEPARTMENT.

RIGHT, BUT THE AUSTIN PARKS AND RECREATION STAFF HAD TOLD ME THIS, INSTEAD OF TELLING MY EMPLOYER, THEY CAME TO ME WITH THE ISSUE BECAUSE OF WHAT HAD HAPPENED. THERE'S A LOT OF OTHER STUFF THAT GOES ALONG WITH IT, BUT THAT WAS LIKE THE BOTTOM LINE OF IT.

WELL, GENERALLY, LET ME SAY TO YOU, THAT WITH RESPECT TO OUR PERSONNEL RULES AND POLICIES AND ANYTHING ELSE THAT MIGHT APPLY TO CITY OF AUSTIN EMPLOYEES, I DON'T KNOW THAT THEY WOULD NECESSARILY EXTEND TO SOMEONE THAT WORKED FOR ANOTHER ORGANIZATION THAT IS INDEPENDENT OF THIS MUNICIPALITY, IS THE RESPONSE THAT I WOULD GIVE YOU GENERALLY SPEAKING. BUT THE LAWYER IS OVER HERE TO MY LEFT SO LET ME ASK IF HE HAS ANYTHING TO ADD TO THAT.

WHAT I WOULD ADD IS THAT IN THE SITUATION AS YOU DESCRIBED IT, THE CITY'S CONTROL OR ABILITY TO HELP YOU IS VERY LIMITED, BECAUSE, AS YOU'VE DESCRIBED IT, YOUR ACTUAL EMPLOYER WAS NOT THE CITY. IT WAS SOMEONE WITH WHOM THE CITY DID BUSINESS. NOW, I'M NOT SAYING JUST ON WHAT I'VE HEARD THAT THERE'S NOTHING THAT THE CITY SHOULD NOT LOOK INTO. AND I'M LOOKING AROUND FOR ONE OF MY LAWYERS WHO IS NOT HERE. I DO SEE THE PARKS AND REC DIRECTOR HERE.

YEAH, I SPOKE WITH HER EARLIER AND WE'RE GOING TO SET UP A MEETING WITH THE PEOPLE THAT ACTUALLY WERE INVOLVED IN THIS. BUT I JUST WANTED TO KNOW MY RIGHT AS A CHRISTIAN, BECAUSE I WAS TOLD I DIDN'T HAVE A RIGHT IN ANY FORM OF BEING A CHRISTIAN IN THE WORKPLACE.

WHAT I WILL COMMIT TO YOU IS THAT IF YOU'RE SUPPLYING ALL THE INFORMATION, THAT MY OFFICE WILL LOOK AT THE SITUATION YOU FOUND YOURSELF IN AND SEE WHAT ROLE THE CITY CAN PLAY IN THAT.

MAYOR WYNN: IF I CAN, AND I WILL APPRECIATE, YOU KNOW, STAFF SITTING DOWN AND MEETING WITH YOU, MS. LEWIS, BUT I'LL JUST TELL YOU THAT FROM A CITY'S PERSPECTIVE, I FEEL VERY STRONGLY THAT WE DON'T AND CERTAINLY SHOULDN'T, STRUCTURALLY, DISCRIMINATE AGAINST ANYBODY FOR ANY A NUMBER OF REASONS, MOST AS IMPORTANTLY IS REGION. SO I WOULD TELL YOU THAT WE PRIDE OURSELVES, WE WORK REALLY HARD, WE HAVE, YOU KNOW, LEGAL AND ETHICAL PARAMETERS IN PLACE TO MAKE SURE THAT WE DON'T DISCRIMINATE, CERTAINLY BASED ON RELIGION, AND I WOULD APPRECIATE, YOU KNOW, STAFF MEETING WITH YOU AND TRYING TO UNDERSTAND THE DETAILS OF YOUR CONCERNS AND HOPEFULLY THEY CAN BE WORKED OUT.

MAYOR, I'M THE PARKS AND RECREATION DIRECTOR. I HAD THE OPPORTUNITY TO VISIT WITH HER, AND ABSOLUTELY, WE NEED TO HAVE A MEETING. SOME MISINFORMATION HAS BEEN GIVEN TO THE YOUNG LADY, AND WE DO HAVE SOME STAFF THAT WE NEED TO SIT DOWN AND VISIT ABOUT HOW WE DELIVER INFORMATION TO OUR FRIENDS THAT ARE WORKING WITH US ON A CONTRACTUAL BASIS. THE CITY ATTORNEY, DEBORAH THOMAS, IS GOING TO BE WORKING WITH US. SHE STOOD OUTSIDE WITH US AND IS ALREADY ON TOP OF THIS, AND IT'S OUR GOAL TO GET THE ANSWERS THAT WE NEED TO GET ADDRESSED AND SIT DOWN AND MAKE SURE SHE HAS BEEN FULLY GIVEN OPPORTUNITIES TO SHARE THE INFORMATION, AS WELL AS VISIT WITH THE ACTUAL CONTRACT THAT WE HAVE WITH WHOM SHE WAS WORKING TO MAKE SURE THAT SOME MISINFORMATION HAS NOT BEEN GIVEN FROM OUR END. SO WE ARE GOING TO TAKE THIS ON AND TAKE IT VERY SERIOUSLY, QUITE FRANKLY, THAT ANY MISINFORMATION HAS BEEN GIVEN.

RIGHT. THANK YOU VERY MUCH, MS. HENSLEY.

COLE: MAYOR? I WANT TO EXPRESS APPRECIATION TO THE PARKS DIRECTOR TO DEAL WITH THAT AND I'M GLAD YOU'LL HAVE SOMEONE FROM LEGAL THERE TO EXPLAIN TO THIS LADY HER RIGHTS OF FREEDOM OF RELIGION, TO EXPRESS THAT THE DIFFERENCE BETWEEN CHURCH AND STATE. IF YOU WOULD DO THAT.

WE SURE WILL AND WE'RE GOING TO DO IS VERY QUICKLY.

THANK YOU ALL.

MAYOR WYNN: YOU'RE WELCOME, MS. LEWIS. SO, COUNCIL, I BELIEVE THAT CONCLUDES ALL OF OUR CITIZEN TESTIMONY ON THIS SEGMENT OF GENERAL CITIZEN COMMUNICATION. AGAIN, WE HAVE NO DISCUSSION ITEMS PRIOR TO RECEIVING STAFF BRIEFINGS THIS AFTERNOON ON BOTH OUR DOWNTOWN STREET EVENT CLOSURE TASK FORCE AND OUR PUBLIC WORKS BRIEFING ON OUR TRAIL NETWORK, TO BE FOLLOWED BY A BRIEF DISCUSSION ABOUT SETTING A PUBLIC HEARING REGARDING THE STREET EVENT CLOSURE TASK FORCE AND A 3:00 TIF BOARD MEETING. SO WITHOUT OBJECTION I WILL NOW RECESS THIS MEETING OF THE AUSTIN CITY COUNCIL. I DON'T ANTICIPATE NEEDING TO RECONVENE UNTIL APPROXIMATELY 3:00 P.M. SO WE'RE NOW IN RECESS UNTIL APPROXIMATELY 3:00 P.M. THANK YOU.

GOOD AFTERNOON. WE'RE OUT OF RECESS, AND WE'LL GO AHEAD AND PICK UP OUR 2:00 P.M. AFTERNOON EXCUSE ME, 3:00 P.M. AFTERNOON BRIEFINGS. THE FIRST, ITEM 57, WILL BE AN UPDATE ON THE DOWNTOWN STREET CLOSURE RECOMMENDATIONS AND WE'LL START OFF WITH ASSISTANT CITY MANAGER, RUDY GARZA. WELCOME.

GOOD AFTERNOON, COUNCIL. I'M RUDY GARZA, CITY MANAGER. TODAY WE ARE PRESENTING YOU THE STAFF RECOMMENDATIONS FOR THE EVENT CLOSURES POLICIES AND PROCEDURES AND RULES. IF YOU RECALL, JUST AS A QUICK POINT OF BACKGROUND,

IN JUNE OF LAST YEAR CITY COUNCIL PASSED THE ORDINANCE CREATING THE TASK FORCE AND SETTING OUT THE MISSION. THE MISSION OF THE CITIZENS TASK FORCE WAS TO REVIEW AND RECOMMEND DIFFERENT REVISIONS TO THE ORDINANCES AND ANY OTHER RULES AND REQUIREMENTS THAT AFFECT STREET CLOSURES, PRIMARILY IN THE DOWNTOWN AREA, AS WELL AS BALANCING THE NEED FOR MAINTAINING OUR EVENTS, BOTH OUR RUNNING EVENTS, WALK EVENTS AND STATIONARY EVENTS, AS WELL AS THE NEED FOR MOBILITY WITHIN THE DOWNTOWN AREA. THE GROUP DID CONVEIN IN JUNE AND WE MET. IN FACT, WE HAD 19 MEETINGS FROM JUNE THROUGH DECEMBER, OVER THAT SIX MONTH TIME PERIOD. THOSE MEETINGS BEGAN EACH MEETING WITH A PUBLIC HEARING SESSION, SO WE HAD SIGNIFICANT INPUT FROM THE PUBLIC DURING THOSE MEETINGS. THE MEETINGS WERE CHAIRED BY PAUL KAROZA AND A CO CHAIR UNFORTUNATELY THE NAME ESCAPES ME AT THIS POINT. IN ADDITION TO THE CITIZENS TASK FORCE WE HAD STAFF

JACK HIGHTOWER.

THAT'S RIGHT. JUSTICE HIGHTOWER WAS THE OTHER CO CHAIR. WE HAD TASK SUPPORTING THE TASK FORCE FROM THE CITY MANAGER'S OFFICE, THE RIGHT OF WAY MANAGEMENT, PARKS DEPARTMENT, EMS. WE ALSO HAD THE POLICE DEPARTMENT SUPPORTING THE TASK FORCE. WE WORKED CLOSELY TOGETHER TO LISTENING TO ALL THE BACKGROUND THE FEEDBACK WE RECEIVED FROM THE CITIZENS AND THE STAKEHOLDERS AS WELL AS THE TASK FORCE, AND AS YOU KNOW, IN DECEMBER OF 2008 THE TASK FORCE PRESENTED THEIR RECOMMENDATIONS TO THE CITY COUNCIL. IN ADDITION TO THAT, IN JANUARY PARKER PRESENTED TO THE DOWNTOWN COMMISSION THEIR RECOMMENDATIONS AND THEY ALSO SUPPORTED THE RECOMMENDATIONS OF THE TASK FORCE. AFTER THAT, FROM JUNE FROM JANUARY TO MARCH, STAFF HAS BEEN WORKING VERY CLOSELY WITH VARIOUS CROSS DEPARTMENTAL TEAM, AND CAREFULLY ANALYZED ALL THE RECOMMENDATIONS FROM THE TASK FORCE AS WELL AS OUR YOU KNOW, THE PROFESSIONAL STAFF'S RECOMMENDATIONS AND WHAT WE COULD DO ULTIMATELY TO BALANCE, AGAIN, THE NEED FOR MOBILITY AS WELL AS MAINTAINING AND SUPPORTING ALL OF OUR EVENTS IN THE DOWNTOWN AREA. THAT HAPPENED OVER THE LAST THREE MONTHS, JANUARY THROUGH MARCH, AND WHAT WE HAVE TODAY IS A BRIEFING AND UPDATE TO YOU ON STAFF'S RECOMMENDATION, WHICH AGAIN YOU WILL FIND IS A MIX OF THE TASK FORCE RECOMMENDATIONS AS WELL AS STAFF PROFESSIONAL RECOMMENDATIONS GOING FORWARD. AT THIS POINT WE ARE SCHEDULED AND THERE'S AN ITEM AN ACTION ITEM FOR COUNCIL TO HOLD A PUBLIC HEARING WITH POSSIBLE ACTION NEXT THURSDAY. SO VERY QUICKLY I'M GOING TO RUN THROUGH THE RULES AND ORDINANCE CHANGES THAT WE ARE RECOMMENDING FROM STAFF THE STAFF RECOMMENDATIONS. FIRST OF ALL, ON THE MOVING EVENTS AND YOU'LL SEE AS WE GO THROUGH THIS, WE DID DISTINGUISH BETWEEN MOVING EVENTS AND STATIONARY EVENTS. ON MOVING EVENTS, WHICH WOULD BE RACES OR WALKS, ONE OF THE THINGS THAT WAS VERY CLEAR CLOUT THE 19 MEETINGS THAT WE HAD WITH THE PUBLIC, AS WELL AS FEEDBACK THAT WE'VE GOTTEN, AND, IN FACT, WHAT GOT US TO THE BEGINNING OF THIS

POINT IN JUNE OF LAST YEAR WAS THE CONTINUED FEEDBACK THAT WE RECEIVED FROM THE PUBLIC OF THE GRIDLOCK THAT HAPPENS DURING THE MULTIPLE EVENTS THAT HAPPEN DOWNTOWN. SO ONE OF THE KEY RECOMMENDATIONS WAS THAT WE NEEDED TO MAINTAIN FOR MOVING EVENTS THE 5TH AND 6TH STREETS TO REMAIN OPEN AT ALL TIMES, AS WELL AS LA MAR BOULEVARD FOR ANY EVENTS AND ALSO TO MAINTAIN VEHICULAR TRAFFIC ON OLTORF, WHICH MEANS IT MAY, IN FACT, BE REDUCED A COUPLE OF LANES BUT NOT A FULL CLOSURE. ADDITIONALLY, WE A RECOMMENDATION IS TO NOT CLOSE CONGRESS AVENUE AND THE FIRST STREET BRIDGES AT THE SAME TIME AND THAT WE WOULD NOT FIND OURSELVES IN A SITUATION WHERE NEIGHBORHOODS WOULD BE TRAPPED INTO THEIR LOCATION. AGAIN, THOSE ARE THE KEY RECOMMENDATIONS WE'RE MAKING AND WE DID PROVIDE COUNCIL AND WE HAVE THIS ELECTRONICALLY AVAILABLE TO THE PUBLIC AND IT HAS ALSO BEEN PROVIDED TO THE TASK FORCE, THE HARD COPIES AND THE DETAILS OF OUR RULE RECOMMENDATIONS AS WELL AS THE ORDINANCE CHANGES. AND YOU'LL FIND IN THE ACTUAL DOCUMENTATION MORE DETAIL ON SOME OF THE ADMINISTRATIVE CHANGES AND PROCEDURES, BUT WHAT I'M PRESENTING FOR YOU TODAY ARE THE KEY CHANGES THAT WE BELIEVE WILL HAVE A SIGNIFICANT IMPACT ON, AGAIN, BALANCING THE NEED IN THE DOWNTOWN AREA. FOR THE STATIONARY EVENTS, THE RECOMMENDATION THAT WE ARE MAKING FROM THE STAFF STANDPOINT IS THAT CESAR CHAVEZ, SINCE THE POINT THAT IT HAS NOW BEEN CONVERTED TO TWO WAY TRAFFIC WOULD NOT BE CLOSED FOR ANY STATIONARY EVENTS, AS WELL AS WHATEVER STATIONARY EVENT HAPPENS, WE WOULD MUST MAINTAIN 5TH AND 6TH STREETS OPEN OR 11TH STREET. AND AGAIN, THAT ALLOWS US TO MAINTAIN AN EAST WEST ACCESS ROUTE, AND ALSO TO MAINTAIN A NORTH SOUTH ACCESS. CONGRESS AVENUE MUST REMAIN OPEN OR GUADALUPE AND LAVACA MUST REMAIN OPEN, AS WELL AS YOU CAN SEE THERE IH 35 SERVICE ROADS OR AS A PAIR, SAN JACINTO BOULEVARD AND BRAZOS STREET. SIMILAR TO THE MOVING EVENTS, 1ST STREET BRIDGE AND COMMERCE STREET BRIDGE CANNOT BOTH BE CLOSED AT THE SAME TIME. AND ONE OF THE CONCERNS THAT WE CONTINUE TO HEAR, ESPECIALLY FROM THE DOWNTOWN BUSINESS COMMUNITY, IS ACCESS TO THEIR PARKING FACILITIES AND WITH THE GROWING RESIDENTIAL POPULATION THAT ALSO BECOMES MORE IMPORTANT THAT WE MAINTAIN ACCESS TO THEIR PARKING FACILITIES. FOR WALKING EVENTS THAT ARE UNDER 5,000 AND WORKING CLOSELY WITH APD, ONE OF THE THINGS THAT WE DISCOVERED WAS THAT WHAT HAPPENS NOW IS WE GO FORWARD WITH THE BARRICADING PROCESS WE HAVE A SMALL EVENT, AND THE EVENT ACTUALLY RESULTS IN SIGNIFICANT CLOSURES WHEN IT'S CONTAINED TO A SMALLER ENCIRCLED AREA, SO WHAT THE RECOMMENDATION IS, THEREFORE, EVENTS THAT WILL HAVE 5,000 OR LESS PARTICIPANTS, THEY WILL BE MONITORED OR CONTROLLED THROUGH A BUBBLE, AND THAT WOULD BE APD OFFICERS WILL MOVE ALONG WITH THE PARTICIPANTS, AND BASICALLY WHAT THAT MEANS IS AT THE END OF THE ROUTE, TRAFFIC WILL CONTINUE TO FLOW, AND AS THE AS THE TRAFFIC WILL ONLY BE CLOSED WHERE THE PARTICIPANTS ARE ACTUALLY IN PLACE AS THEY WALK AND THIS WOULD BE PARADES OR OTHER WALKS. AS THEY MOVE FORWARD OFFICERS WOULD BEGIN TO CLOSE STREETS DOWN, MEANING THE AREAS THEY HAVE JUST PASSED WILL REMAIN OPEN, AND IT MAKES IT MUCH MORE

EFFICIENT AND IT ALLOWS, AGAIN, THE MOBILITY TO MOVE FORWARD MUCH FASTER. IF YOU RECALL LAST I BELIEVE IT WAS EITHER APRIL OR MAY LAST YEAR, WE FOUND OURSELVES WITH A WEEKEND WHERE WE HAD MULTIPLE EVENTS, SOME ACTUALLY ON THE SAME DAY. I BELIEVE WE HAD A BICYCLE EVENT, A RUNNING EVENT, AS WELL AS A FESTIVAL, ALL HAPPENING ON A SATURDAY SUNDAY TIME FRAME, WHICH CREATED A SIGNIFICANT TRAFFIC NIGHTMARE FOR PEOPLE TRYING TO GET IN AND OUT OF DOWNTOWN THAT WERE NOT PART OF THE EVENTS. ONE OF THE THINGS THAT WE WANT TO SET OUT AS PART OF THE RULES IS THAT A MOVING EVENT WILL NOT TAKE PLACE SAME OR SAME DAY AS THE STATIONARY EVENT UNLESS THERE IS A SEPARATION OF AT LEAST FOUR BLOCKS, OR DEPENDING ON THE DISCRETION OF THE DIRECTOR, IF IT NEEDS TO BE LESS, OR IT COULD BE GREATER THAN THAT. ANOTHER CONCERN THAT WE CONTINUE TO HEAR AND THIS IS NOT, IN FACT, AND CITY MANAGERS, IN FACT, INITIATED A STAFF TO CONTINUE TO LOOK AT HOW WE CAN DO THIS FOR CONSTRUCTION PROJECTS, BUT DIRECTLY RELATED TO EVENTS, THAT TRAFFIC CONTROL DEVICES PREDOMINANTLY BARRICADES WOULD NOT BE SET MORE THAN 20 HOURS IN ADVANCE. WHAT WE FIND OURSELVES NOW, FOR VARIOUS REASONS, THAT FOR A SATURDAY OR SUNDAY EVENT, IT'S LIKELY THAT THESE BARRICADES WILL BE SET TWO OR THREE DAYS IN ADVANCE. AND WE ALSO KNOW THAT MANY OF OUR PUBLISH DEPEND HIGHLY ON OUR SIDEWALKS IN THE DOWNTOWN AREA, AND IT DOES BECOME A DISRUPTION, AND SOME FOLKS ARE CONFINED TO THE SIDEWALK AREA AND IT'S IMPORTANT THAT WE MAINTAIN THAT MOBILITY FOR THEM AS MUCH AS POSSIBLE. IN ADDITION TO THAT, WE'RE ALSO REQUIRING IN THE RULES THAT THE DEVICES BE REMOVED IMMEDIATELY AFTER THE EVENT AND NOT BE THERE TWO OR THREE DAYS, AND, IN FACT, WHAT WE HAVE DISCOVERED IN THE PAST IS IT'S SOMETIMES POSSIBLE THAT AN EVENT WILL HAPPEN ON A SUNDAY AND IF THERE IS ANOTHER ONE COMING UP ON SATURDAY, IT'S LIKELY THAT THOSE BARRICADES WILL STAY THERE FOR THE ENTIRE WEEK. SO THE RULES WILL REQUIRE THAT, AGAIN, NO SOONER THAN 20 HOURS IN ADVANCE AND THEY'LL BE REMOVED IMMEDIATELY. AND THAT WAS A QUICK RECAP OF THE MAJOR CHANGES TO THE RULES THAT WILL BE, AGAIN, PART OF THE ORDINANCE THAT WILL BE ADOPTED ADMINISTRATIVELY, AND THE STAFF WILL AS WE DO WITH ALL OF OUR OTHER RULES, WILL BE ABLE TO CHANGE THOSE AS NECESSARY WITH A 30 DAY PUBLIC NOTICE AND POSTING WITH THE OPPORTUNITY FOR THE PUBLIC TO GIVE US FEEDBACK ON THOSE. SPECIFICALLY TO THE CODE, PROBABLY THE MOST SIGNIFICANT CHANGE THAT WE'VE MADE ON THE CODE WILL BE THE NOTIFICATION SYSTEM AND THE OPPORTUNITY FOR OUR CITIZENS TO VOICE THEIR CONCERNS WITH AN EVENT. CURRENTLY, IF YOU RECALL, THERE'S IT'S AN 80% OR 90% APPROVAL FOR AN EVENT TO HAPPEN, WHICH MAKES IT VERY DIFFICULT FOR THE EVENT PROMOTERS. CURRENTLY THEY'RE REQUIRED TO GO GET SIGNATURES THAT REPRESENT 80% APPROVAL OR 90% APPROVAL. THAT IS A BIG TASK FOR THEM. WE RECOGNIZE THAT. WHAT WE ARE RECOMMENDING IS A CHANGE TO THE ORDINANCES THAT WE CHANGE THAT TO A 20% OF THE AFFECTED PARTIES WILL HAVE TO, IN FACT, VOICE THEIR OPPOSITION TO AN EVENT, AND THOSE WOULD BE THOSE WILL COME DIRECTLY TO THE CITY. IF THAT OPPOSITION HAPPENS, THEN THE STAFF WILL TAKE THAT INTO CONSIDERATION ON WHETHER OR NOT TO APPROVE AN EVENT MOVING FORWARD.

ADDITIONALLY, CURRENTLY WE REQUIRE ACTUAL SIGNATURES FOR FROM THE PROMOTERS TO GO OUT AND GET ALL THIS INFORMATION AND NOTIFICATION NEEDS TO BE DOOR HANGERS AND THERE'S A LOT OF MANUAL LABOR INVOLVED. WHILE THIS HAS NOT BEEN PERFECTED, WE ARE INCLUDING IN THE CODE, AGAIN, AS WE PERFECT THE SYSTEM, TO ALLOW EVENT ORGANIZERS TO BE ABLE TO USE ALTERNATIVE METHODS OF COMMUNICATION, SUCH AS EMAIL, FAX, OR ANYTHING ELSE THAT MIGHT BE MORE EFFICIENT, AND, IN FACT, MAYBE MORE EFFECTIVE IN REACHING A GREATER AMOUNT OF PEOPLE WITHOUT REQUIRING, YOU KNOW, DOOR TO DOOR KNOCKING AND HARD COPIES OF EVERYTHING. SO THAT WILL BE A KEY RECOMMENDATION CHANGE. AND AS FAR AS NOTIFICATION, I THINK WHAT WE HEARD OVER AND OVER THROUGHOUT THE LAST, YOU KNOW, SIX MONTHS FROM JUNE THROUGH DECEMBER, THERE'S TREMENDOUS SUPPORT FROM OUR COMMUNITY, FROM ALL ASPECTS OF OUR COMMUNITY, FOR CONTINUED SUPPORT OF THE BOTH RUNNING EVENTS, WALKING EVENTS AND ALL OF THE FESTIVALS THAT WE HAVE IN THE CITY, BUT THE BIGGEST CONCERN THAT WE HAVE THAT WE HEARD WAS NOTIFICATION. AND MANY TIMES THAT NOTIFICATION CAME TOO LATE. IT DIDN'T GIVE ENOUGH TIME FOR CHANGES IN EITHER CHURCHES' SCHEDULES OR PLACE OF BUSINESS. SO WE'VE EXPANDED THAT TO REQUIRE THE ORIGINAL SUBMISSION TO NOW BE 180 DAYS BEFORE THE EVENT. I ALSO PROVIDED COUNCIL AND TR TO OUR TASK FORCE MEMBERS A SPECIFIC TIMELINE ON THE DIFFERENT DATES REQUIRED DURING THAT 180 DAY PERIOD. PART OF THAT IS THE FACT THAT ALL AFFECTED PARTIES WILL NOW THEY WILL BE REQUIRED OR THE EVENT PROMOTERS WILL BE REQUIRED TO NOTIFY THEM 90 DAYS IN ADVANCE. THEN AGAIN, THAT PROVIDES A GREATER AMOUNT OF TIME FOR THE AFFECTED PARTIES TO MAKE ARRANGEMENTS, TO VOICE THEIR CONCERNS, OR WHAT WE WOULD LIKE IS, IN FACT, GIVE THEM MORE TIME TO WORK CLOSELY WITH THE EVENT ORGANIZERS TO TRY TO WORK OUT ANY CONCERNS OR CHALLENGES THAT THEY MAY HAVE SO THAT EVERYONE WILL BE ABLE TO WORK TOGETHER. IT ALSO ADDS IN THE CODE GREATER FLEXIBILITY FOR THE DIRECTOR TO CONSIDER TIME, MANNER AND PLACE, TO RECOMMEND CHANGES TO ROUTES IN THE INTEREST OF PUBLIC SAFETY. AND AT THIS POINT THAT'S JUST GIVING US THE FLEXIBILITY TO BE ABLE TO DO THAT. IT'S NOT SOMETHING THAT WE WOULD BE EXERCISING LIGHTLY, BUT IT WOULD BE INCLUDED IN THE AMENDED CODE. THE OTHER CHANGES THAT ARE IN THE ACTUAL ORDINANCE THAT WE'LL BE PROVIDING COUNCIL, PRIMARILY ADMINISTRATIVE IN NATURE AND CLEARING THINGS UP, AND THE NEXT BIGGEST CHANGE THAT YOU WILL FIND IS THE MERGING I'M SURE MANY OF YOU HAVE HEARD THAT THERE ARE CONTRADICTIONS BETWEEN THE PARADE STREET CLOSURE ORDINANCE AND THEN THE STREET CLOSURE ORDINANCE FOR STREET EVENTS. SOME OF THOSE TIMES, WHAT WE FOUND WAS THERE WAS A CONFLICT IN BOTH THOSE ORDINANCES. THE REQUIREMENTS WERE DIFFERENT. WHAT WE HAVE PUT BEFORE YOU IS A CONSOLIDATED PUTS EVERYTHING TOGETHER TO HOPEFULLY MAKE IT EASIER FOR EVERYONE TO UNDERSTAND EXACTLY WHAT THE RULES AND REQUIREMENTS ARE, AND I THINK FROM THE EVENT ORGANIZERS, ONE OF THE THINGS THAT WE HEARD CONSISTENTLY FROM THEM WAS TELL US WHAT THE RULES ARE UP FRONT AND LET'S JUST WORK BY THE RULES, BECAUSE WHAT WE FOUND, IN FACT, IS THAT THE EVENT

ORGANIZERS ARE VERY COOPERATIVE, WANT TO DO THE RIGHT THING BUT THE FACT IS WE WERE MAKING IT DIFFICULT FOR THEM ESPECIALLY BECAUSE WE HAD TWO CONFLICTING ORDINANCES. SO WHAT YOU FIND NOW IS A CONSOLIDATED ORDINANCE, A CONSOLIDATED SET OF RULES, AND SO EVERYONE WILL KNOW UP FRONT THERE'S ONE SET OF RULES AND WE CAN WORK WORK TO BE SUCCESSFUL GOING FORWARD. IN ADDITION TO THE RULES CHANGES AND THE ORDINANCE CHANGES, AND PART OF THE NOTIFICATION CONCERN THAT WE HEARD FROM THE PUBLIC, WE ARE MOVING FORWARD AND VERY SOON HERE YOU WILL FIND A SPECIAL EVENTS WEB SITE. WE CURRENTLY HAVE IN THE PARKS RECREATION WEB SITE, WE HAVE A CALENDAR OF EVENTS. IT'S BASICALLY A STATIC CALENDAR THAT IT JUST TELLS YOU WHAT'S HAPPENING WHEN. WE'VE BEEN WORKING OVER THE LAST FEW MONTHS ON CREATING A SPECIAL EVENTS WEB SITE THAT WILL BE A ONE STOP LOCATION FOR THE MEMBERS OF THE PUBLIC OR ANYONE ELSE WHO IS INTERESTED TO FIND OUT EXACTLY WHAT'S HAPPENING WHEN, WHAT ARE THE STREET CLOSURES, WHAT ARE THE DETOURS, MOVING FORWARD. AND, IN FACT, WE ALSO ARE BUILDING ON THAT AN OPPORTUNITY FOR INDIVIDUALS TO REGISTER SO THAT THEY CAN BE NOTIFIED VIA EMAIL WHEN THINGS ARE CHANGING ON THE CALENDAR OR WHEN EVENTS ARE COMING UP. AND AS WE'VE TALKED OVER THE LAST SEVERAL MONTHS, THE CREATION OF A AN OFFICE OF SPECIAL EVENTS, AND THIS AGAIN SIMILAR TO THE WEB SITE WOULD BE A ONE STOP SHOP THAT WOULD ALLOW THE EVENT ORGANIZERS TO KNOW WHERE THEY COULD GO TO, TO ONE PLACE, THAT OFFERS SPECIAL EVENTS, THAT COULD BE THE PLACE FOR CITIZENS TO COME, VOICE THEIR CONCERNS OR ASK AND HAVE EVERYTHING IN A CONSOLIDATED POINT. THIS WILL NOT ELIMINATE THE INVOLVEMENT OF RIGHT OF WAY MANAGEMENT OR PUBLIC WORKS OR POLICE OR EMS. IT JUST MAKES IT A SINGLE POINT FOR EVERYONE TO WORK IN A COORDINATED FASHION. WE ARE STILL CONTINUING TO DEVELOP THAT. OBVIOUSLY A BIG CHALLENGE WE HAVE IS THE UPCOMING BUDGET, OR THE CURRENT BUDGET SITUATION, AND WE WILL WORK CLOSELY TO TRY TO COME UP AND MEET THE OBJECTIVES OF THE OFFICE OF SPECIAL EVENTS WITHIN THE CURRENT RESOURCES KNOWING THAT WE'LL HAVE A PLAN MOVING FORWARD. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS.] OPPORTUNITY SOME WORK ON THEIR OWN, WHAT WE HAVE IN FRONT OF US, WHAT YOUR RECOMMENDATIONS ARE IS SORT OF A COMBINATION OF TASK FORCE RECOMMENDATIONS. AND STAFF RECOMMENDATIONS. AND SINCE THERE WAS SO MUCH INTEREST AND VISIBILITY ON THE PART OF THE TASK FORCE MEMBERS, THE PUBLIC, ALL OF THE WORK THAT THEY DID, I WONDER IF THERE'S SOME WAY TO DO AN INVENTORY AND SEE WHAT ARE THE TASK FORCE RECOMMENDATIONS IS ACTUALLY IN THE DRAFT TO COME TO COUNCIL. WHAT IS IN THE DRAFT THAT'S COMING TO COUNCIL THAT'S NOT A TASK FORCE RECOMMENDATION OR MAYBE YOU ALREADY HAVE THAT. BECAUSE I THINK THAT FOR ME THAT'S REALLY IMPORTANT TO DISTINGUISH. BECAUSE I KNOW WHEN YOU HAVE A GROUP OF CITIZENS OR STAKEHOLDERS WORKING TOGETHER, THERE ARE DELICATE BALANCES THAT ARE REACHED AND YOU START POKING THAT BALANCE ONE WAY OR ANOTHER, EVERYTHING FALLS APART. SO IT WOULD BE VERY IMPORTANT FOR ME AND I THINK FOR THE PUBLIC TO GET A LOOK AT IT FROM THAT

PERSPECTIVE, THOUGH.

COUNCILMEMBER, IN FACT WE ANTICIPATED THAT. THE DOCUMENT THAT WE PREPARED AND SUBMITTED TO COUNCIL, AVAILABLE TO THE PUBLIC, THE HEADER IS RIGHT OF WAY CLOSURE RULES. IN RED WHAT YOU WILL SEE IN PARENTHESES WAS STATE WILL STATE WHETHER THERE WAS A TASK FORCE RECOMMENDATION AND WHETHER IT WAS A STAFF RECOMMENDATION. AND SOME OF THOSE WILL BE A SLIGHT MODIFICATION. BUT BUT WE DID DISTINGUISH ON HERE AND IF YOU GO THROUGH THE DOCUMENT, IT'S IT'S PRETTY CLEAR THAT THAT THE THAT THE MAJORITY OF ALL OF THE RECOMMENDATIONS ARE IN FACT A PRODUCT OF THE TASK FORCE RECOMMENDATIONS.

PRETTY MUCH.

PRETTY MUCH. ONE OF THE RECOMMENDATIONS IN OUR RULES ACTUALLY CAME FROM THE D.A.A. FOR THEIR EFFORTS AS THEY LOOKED AT MOBILITY ISSUES IN DOWNTOWN. IN FACT IT WAS ONE OF THE ONES THAT CAUSED SOME CONFUSION BECAUSE THE THE RECOMMENDATION FROM D.A.A. WAS THAT THERE WOULD BE NO MOVING EVENTS ON NON HOLIDAY WEEKDAYS AND THE CONCERN WAS THAT MEANT WEEKENDS, BUT CLEARLY IT'S NOT WEEKENDS BECAUSE THAT'S ALMOST EVERY WEEKEND OF THE YEAR IS A NON HOLIDAY WEEKEND. BUT THE OBJECTIVE THERE IS ON A TUESDAY AFTERNOON ON A WORK DAY, IT WOULD BE VERY INCONVENIENT FOR US TO HAVE A RACE GOING DOWN CONGRESS WHILE PEOPLE ARE TRYING TO GET TO OR FROM WORK. BUT YOU WILL SEE THAT IN THE EXISTING DOCUMENT WE WILL IDENTIFY WHICH ONES ARE TASK FORCE RECOMMENDATIONS.

AND THEN IS THERE A LIST OF THINGS THAT ARE TASK FORCE RECOMMENDATIONS THAT ARE IN THE DRAFT.

THAT'S NOT IN THIS DOCUMENT. WE CAN PUT THAT TOGETHER ALTHOUGH I THINK WE'RE GOING TO FIND I'M NOT SURE IF THERE IS ANY THAT THE TASK FORCE I'LL FIND WE'LL PUT TOGETHER A DOCUMENT OF THOSE THAT MAYBE HAVE BEEN RECOMMENDED BY THE TASK FORCE THAT IS NOT A STAFF RECOMMENDATION.

OKAY. I THINK THAT THAT WOULD BE VERY HELPFUL.

LEFFINGWELL: COUNCILMEMBER MCCRACKEN, DO YOU WANT TO TAKE OVER THE CHAIR?

MCCRACKEN: FURTHER QUESTIONS OR COMMENTS? COUNCILMEMBER LEFFINGWELL?

LEFFINGWELL: ON THE TIME LIMIT FOR BARRIER REMOVAL, I KNOW THAT YOU SAID INITIALLY THAT THE BARRIERS COULD ONLY BE AT 20 HOURS MAXIMUM OF 20 HOURS PRIOR TO THE EVENT. THEN THERE WAS I SORT OF THINK A REASONABLE TIME, THEY HAD TO BE REMOVED WITHIN A REASONABLE TIME. YOU MENTIONED SOMETIMES THEY STAYED UP ALL

WEEK. SO I GUESS I'M ASSUMING IF IT'S MORE THAN 20 HOURS BEFORE THE NEXT EVENT, IF SUCH WOULD BE THE CASE, THEY WOULD HAVE TO REMOVE THE BARRIERS AND PUT THEM BACK UP IN THE 20 HOUR TIME FRAME; IS THAT RIGHT.

THAT WOULD BE AN EXPECTATION. HOWEVER, CERTAINLY STAFF WOULD BE REASONABLE IN WORKING WITH THE EVENT ORGANIZER AND IF IN FACT WE'RE TALKING ABOUT A FEW HOUR WINDOW, IF IT'S A 24 HOUR DIFFERENCE, IT WOULD MY SENSE WOULD BE THAT IT WOULD BE UNREASONABLE FOR US TO ASK THEM TO REMOVE THEM AND PUT THEM BACK IN FOUR HOURS. BUT AGAIN IF WE'RE TALKING A WEEK LATER, THE EXPECTATION

OR A COUPLE OF DAYS.

YOU KNOW, IT'S REALLY GOING TO HAVE TO BE ON A CASE BY CASE, THE EXTENT IT MAY BE THAT WE REQUEST OR REQUIRE THEY REMOVE SOME OF THEM FROM THE MORE HIGH TRAFFIC PEDESTRIAN TRAFFIC OR VEHICULAR TRAFFIC AREAS AND THEN PUT THOSE BACK WITHIN THE 20 HOUR WINDOW. ALLOW THEM TO KEEP SOME THAT MAYBE ARE LESS DISRUPTIVE THAN OTHERS.

THIS IS CERTAINLY AN ADMINISTRATIVE ACTION AND ADMINISTRATIVE PROCEDURE, NOT PART OF THE ORDINANCE ITSELF?

THAT'S CORRECT.

MCCRACKEN: I THINK, CITY MANAGER

IF I MIGHT SUPPLEMENT MR. GARZA'S RESPONSE. PART OF THE PROBLEM IS IF THEY STAY A COUPLE OF DAYS BETWEEN EVENTS, THERE DOESN'T APPEAR TO BE ANYONE REALLY MANAGING WHAT HAPPENS DURING THAT PERIOD OF TIME. SO YOU CAN GO OUT AND FIND BARRICADES AND THINGS NOT IN THEIR PROPER POSITION, SO THEY BECOME OBSTRUCTIONS AND QUITE FRANKLY THEY EVEN BECOME UNSIGHTLY, YOU KNOW, SO THE REASON FOR PAYING CLOSER ATTENTION AND KIND OF TIGHTENING, YOU KNOW, THE RULES, IF YOU WILL, WITH RESPECT TO HOLDING PEOPLE ACCOUNTABLE HAS TO DO WITH THOSE KINDS OF THINGS.

LEFFINGWELL: YEAH, WELL I WAS JUST GOING TO SAY I COULDN'T IMAGINE LEAVING THE BARRIERS IN PLACE TO CLOSE THE STREET, ALMOST ANY STREET ALL WEEK LONG. I'M SURPRISED TO HEAR THAT.

COUNCILMEMBER LEFFINGWELL, I'M SORRY, THE BIGGEST CHALLENGE THAT WE FIND IS ACTUALLY IN THE SIDEWALKS AND AGAIN A VERY LARGE PART OF OUR POPULATION AND OUR CITIZENS DEPEND HEAVILY ON OUR SIDEWALKS. AND WHAT YOU WILL FIND ON ANY GIVEN WEEKDAY OR WEEKEND IS THOSE OBSTRUCTIONS THAT THE MANAGER IS TALKING ABOUT WHERE YOU HAVE TO WALK STEP OVER THOSE BARRICADES, UNFORTUNATELY

SOME OF OUR POPULATION IS NOT ABLE TO DO THAT. AND WOULD HAVE TO, YOU KNOW, TAKE THEIR CHAIR WHEELCHAIR OFF THE SIDEWALK, GET ON THE ROADWAY, GO UP ACROSS, AROUND THE OBSTRUCTIONS, SO THAT'S PART OF THE CONCERN WE'RE TRYING TO ADDRESS.

LEFFINGWELL: OKAY. ANOTHER THING THAT I WAS A LITTLE UNCLEAR ON, YOU MENTIONED THE NEW PROCEDURE TO PROVIDE FOR NEGATIVE FEEDBACK RATHER THAN A POSITIVE APPROVAL OF AN EVENT, WHICH MAKES SENSE. BUT THEN I UNDERSTOOD YOU TO SAY THAT IF 20% OF THE PEOPLE AFFECTED, THE PEOPLE THAT ARE REQUIRED TO BE NOTIFIED, REGISTERED AN OBJECTION, THAT YOU WOULD TAKE THAT INTO ACCOUNT. WHAT DOES THAT MEAN?

IN FACT I BELIEVE IF IT IS 20%, THAT WOULD BE THE ONLY APPEAL THAT THEY WOULD HAVE THEN WOULD BE TO THE CITY COUNCIL TO TO WAIVE THAT REQUIREMENT.

SO IF MORE THAN 20% OBJECTED THEY WOULD HAVE TO GO TO THE CITY COUNCIL TO WAIVE THAT REQUIREMENT.

OKAY.

LEFFINGWELL: I SEE THE CHAIR OF THE TASK FORCE IS HERE. PAUL, WOULD YOU LIKE TO MAKE A COUPLE OF COMMENTS? YOU DON'T HAVE TO IF YOU DON'T WANT TO, BUT I FIGURE SINCE YOU SPENT 19 MEETINGS WITH THIS YOU MIGHT HAVE SOMETHING TO OFFER.

I THINK GOING BACK 20 YEARS WHEN IT WASN'T A PROBLEM, IT'S KIND OF EXCITING THAT WE HAVE THESE KIND OF ISSUES, THANK YOU FOR DEALING WITH IT. ALL OF THE COMMENTS HERE ARE VALID. I THINK WE ARE TRYING TO MAINTAIN BALANCE AND IMPROVE COMMUNICATION. HAVE EVENTS, HAVE THEM STAY DOWNTOWN SO SO FROM A TASK FORCE PERSPECTIVE AND BEING IN THE INDUSTRY, I THINK THIS IS A HUGE STEP FORWARD. NOW THE DEVIL IS IN THE DETAILS. GETTING DOWN TO THE ACTUAL PROCESS. AS THINGS START GETTING INKED, IT'S AN IMPORTANT TIME FOR US TO PAY REALLY CLOSE ATTENTION. I THINK WE SHOULD STAY ON TASK AND GET IT DONE TIMELY AND NOW BUT WE ALL NEED TO MAKE SURE THAT WE'RE COMMUNICATING WELL NOW AND GETTING TO THE FINAL APRIL 2ND BEING THE PUBLIC HEARING, POSSIBLE ACTION THAT WE TAKE A GOOD LOOK AT THE DETAILS AND ASK THE QUESTIONS AND GET SPECIFICS. TO ME IT'S LIKE NOT MAKING MOVIES IN HOLLYWOOD. I MEAN I THINK AUSTIN IS ABOUT ONE OF THE COMMON THREADS TO AUSTIN IS THE FACT THAT WE HAVE WE'VE BUILT THIS COMMUNITY ON THE MOVE AND IT'S BEEN BUILT BY NON PROFITS AS WE KNOW WHO WOULD BENEFIT FROM THESE EVENTS, BUT SO DOES THE GENERAL HEALTH OF OUR CITY AND THE THE CITY ITSELF HAS BEEN SUCH A PROPONENT OF P.E. AT WORK AND GOAL ORIENTED TRAINING AND THESE ALL ARE BUILT AROUND EVENTS THAT GET PEOPLE MOVING. I THINK IF YOU START UNRAVELING THE EVENTS THEMSELVES THAT PEOPLE WON'T BE AS FOCUSED ON MOVEMENT, WILL GO BACKWARDS FROM THE HEALTH QUOTIENT IN TOWN THE QUALITY OF

LIFE. IT'S ALSO A PLACE WHERE EVERYBODY GETS TO KNOW ONE ANOTHER ON COMMON GROUND. ONE THING THAT'S UNIQUE ABOUT AUSTIN, WE KNOW EACH OTHER, MOSTLY THROUGH A NEUTRAL PLATFORM LIKE PHYSICAL ACTIVITY. I'M VERY EXCITED ABOUT IT. THIS HAS BEEN A WONDERFUL EXPERIENCE FOR MYSELF AND ALL OF THE TASK FORCE MEMBERS ARE HIGHLY ENGAGED, WANT TO CONTINUE. I APPLAUD RUDY AND HIS STAFF AND LARRY AND YOUR LEADERSHIP, LEE, ON THIS. WE LOOK FORWARD TO THE NEXT COUPLE OF WEEKS UNTIL WE GET THIS THING FINALIZED. I'M HAPPY TO ANSWER ANY QUESTIONS. THE TASK FORCE THAT ARE HERE WE HAVE A HIGHLY PROFESSIONAL INDUSTRY THAT A LOT OF THEM ARE HERE TODAY COMMITTED TO THESE EVENTS AT A HIGHLY PROFESSIONAL LEVEL. THEY ARE CAPABLE OF PREPLANNING AND ALL OF THESE COMMUNICATION THINGS SO I'M VERY PROUD OF AUSTIN AND THE ACTIVE SCENE HERE, I APPRECIATE Y'ALL'S SUPPORT OF IT. AND LOOK FORWARD TO THE NEXT COUPLE OF WEEKS.

LEFFINGWELL: THANK YOU FOR YOUR SERVICE AT THESE 19 MEETINGS. I KNOW IT'S DIFFICULT AT TIME, IT WAS A LOT OF WORK. I APPRECIATE THE EXTRA EFFORT YOU PUT INTO IT. I ALSO WANT TO SAY FROM THE VERY BEGINNING WHEN WE CONVENED THIS TASK FORCE, WE REALIZED WE ACKNOWLEDGED THE VALUE OF THE FITNESS EVENTS THAT OCCURRED DOWNTOWN AND ALSO THE COMMUNITY EVENTS THAT OCCUR DOWNTOWN. SO THE PURPOSE WAS MERELY TO TO FIND A WAY TO MANAGE THESE EVENTS, FITNESS EVENTS AND COMMUNITY EVENTS SO THAT PEOPLE WHO LIVE OR WORSHIP OR WORK DOWNTOWN WOULD BE ABLE TO ACCESS THEIR PLACE OF BUSINESS OR WORSHIP OR RESIDENCE TO A REASONABLE DEGREE. AND I THINK AT LEAST WE HAVE THE BEGINNINGS OF A PROCESS TO TO ACCOMMODATE BOTH VALUES, BOTH COMMUNITY VALUES AND SO SO I GUESS THAT I WOULD LIKE TO GO AHEAD AND MAKE A MOTION TO APPROVE ITEM 56, WHICH IS TO SET A PUBLIC HEARING AND CONSIDER POSSIBLE ACTION ON AMENDMENTS TO THE ORDINANCE ON APRIL 2ND. THANK YOU, PAUL.

MCCRACKEN: WE HAVE A MOTION BY COUNCILMEMBER LEFFINGWELL, SECONDED BY COUNCILMEMBER COLE. COUNCILMEMBER MORRISON I KNOW THAT YOU HAD A QUESTION?

FOR PAUL, IF YOU DON'T MIND COMING BACK UP FOR A SECOND. I KNOW YOU CAN GET A LITTLE EXERCISE COMING UP HERE. I'M I CERTAINLY ECHO AND AGREE WITH WHAT COUNCILMEMBER LEFFINGWELL SAID ABOUT ALL OF THE GREAT WORK AND ENCOURAGING RACES AND FITNESS AND EVERYTHING. IT'S A GREAT TOWN TO BE ABLE TO DO THAT IN. MY BUT YOU ALSO SAID THE DEVIL IS IN THE DETAILS. SO I WANTED TO ASK YOU YOUR OPINION AND I DON'T KNOW IF YOU CAN SPEAK FOR OTHER TASK FORCE MEMBERS ABOUT WHETHER OR NOT I DON'T KNOW IF YOU HAVE SEEN THE DRAFT ORDINANCE YET.

YES. I HAVE SEEN THE DRAFT ORDINANCE, I HAVE SEEN THE PRESENTATION.

THE PRESENTATION BUT THE DEVIL IS IN THE DETAILS.

RIGHT.

SO WHETHER OR NOT A WEEK'S TIME IS GOING TO BE ENOUGH TIME TO ACTUALLY HAVE THE TASK FORCE MEMBERS THAT ARE GOING TO BE INTERESTED DELVE INTO THE DETAILS AROUND HASH OUT ANY RECOMMEND INDICATIONS AND HOW IT MIGHT BE DIFFERENT FROM TASK FORCE RECOMMENDATIONS IF THERE IS OR PROBABLY ISN'T, IS A WEEK REALLY LONG ENOUGH.

MY QUESTION WOULD BE WHETHER IT TAKES ACTION AFTER A WEEK. FROM THE PUBLIC HEARING I THINK A WEEK SHOULD BE LONG ENOUGH TO READ THE ORDINANCE AND WORK THROUGH YOUR OWN OPINION OF IT AND HAVE THE PUBLIC HEARING, BUT I'M NOT SURE IF IT'S ENOUGH TIME TO TAKE ACTION. BUT THAT WOULD BE BASED ON I THINK HOW THE PUBLIC HEARING GOES.

OKAY. JUST ALSO ONE REQUEST THAT YOU HAVE BEEN TAKING INTO CONSIDERATION THE PUBLIC INPUT AND THE PUBLIC INTEREST THAT YOU AS THE TASK FORCE RECEIVED, DO YOU GET A SENSE THAT WILL BE ENOUGH TIME FOR THE FOLKS THAT ARE INTERESTED TO MAYBE TO ACTUALLY EVALUATE AND COME TO THE PUBLIC HEARING?

YOU KNOW, I I KNOW THAT THE GROUP OF PEOPLE THAT WE'RE TALKING TO ARE HIGHLY ENGAGED AND INTERESTED, SO WE'RE GOING TO MAKE IT A PRIORITY. SO FOR THE PEOPLE THAT ARE HERE TODAY, THAT WE'VE BEEN COMMUNICATING WITH, I THINK THEY ARE MAKING TIME FOR THIS. I DON'T KNOW THE BROADER COMMUNITY'S ACCESS TO THE ORDINANCE, TO WHETHER A WEEK IS ENOUGH. I THINK THAT I WOULD HAVE TO LOOK TO Y'ALL FOR THAT. BUT THE PEOPLE THAT ARE ENGAGED AND HERE ARE ON IT NOW. SO IF IF IT WAS ME MAKING THE DECISION, I WOULD SAY THAT WE WOULD HAVE THE PUBLIC HEARING AND THEN DECIDE ON WHETHER THE TIME FRAME TO TAKE ACTION DEPENDS ON HOW THE PUBLIC HEARING GOES.

THANK YOU. I GUESS FOR MR. SMITH IF WE DO HAVE A PUBLIC HEARING CAN WE CONTINUE IT IF WE FEEL LIKE THERE'S MORE INTEREST IN ABSORBING THE INFORMATION?

YES, YOU CAN.

ALL RIGHT, GOOD. THANK YOU.

MCCRACKEN: COUNCILMEMBER LEFFINGWELL?

LEFFINGWELL: I WOULD JUST LIKE TO TO AMEND THE MOTION TO ADD DIRECTION TO STAFF TO HOLD A MEETING WITH THE TASK FORCE AND BRIEF THEM ON THE FINAL RECOMMENDATION BEFORE APRIL 2ND. IF THAT'S POSSIBLE. AND AS CITY ATTORNEY JUST POINTED OUT, THE MOTION WAS FOR TO HOLD THE PUBLIC HEARING AND CONSIDER POSSIBLE ACTION ON THE ITEM. SO THERE IS THERE WILL BE AN OPPORTUNITY IF

PROBLEMS ARISE TO EXTEND THE HEARING AND THE ACTION.

MCCRACKEN: IS THAT A FRIENDLY AMENDMENT, COUNCILMEMBER COLE. SO WE HAVE AN AMENDED MOTION AND A SECOND TO SET THE PUBLIC HEARING, ITEM NO. 56. ANY MORE QUESTIONS, COMMENTS? ALL IN FAVOR SAY AYE NO. MOTION APPROVED 6 6 TO 0 WITH MAYOR WYNN OFF THE DAIS. THAT ALSO CONCLUDES ITEM 57. SO NEXT IS ITEM 58, A PUBLIC WORKS TRAILS BRIEFING. I SEE HOWARD LAZARUS COMING UP.

THANK YOU VERY MUCH. BEFORE WE GET STARTED I JUST WANTED TO BRING GREETINGS AND APPRECIATION FROM THE PUBLIC WORKS DEPARTMENT TO COUNCILMEMBER MORRISON FOR HER WARDROBE CHOICE THIS MORNING AND FOR SETTING HIGH SARTORIAL STANDARDS FOR WHAT THE WELL APPOINTED PUBLIC SERVANT WEARS TO COUNCIL MEETINGS. WE ARE HERE TODAY TO TALK ABOUT THE GREATER AUSTIN'S AUSTIN TRAILS PROGRAM. THIS IS ONE COMPONENT OF OUR NON MOTORIZED TRANSPORTATION MULTI USE PLAN. WE BROUGHT THE SIDEWALK MASTER PLAN LAST MONTH. AND ABOUT THE MAKE OF MAY OR SO DIRECTOR SPILLER AND I WILL BE BACK WITH THE BICYCLE MASTER PLAN UPDATE. SO THIS IS THE TRAILS PROGRAM WHICH COMPARED TO THE OTHER TWO IS SORT OF IN ITS INFANCY BUT A GREAT PLACE TO START. ALSO I WOULD LIKE TO RECOGNIZE THAT I AM JOINED BY SEVERAL MEMBERS OF THE WORKING GROUP AND ITS LEADERSHIP, BOTH DIRECTOR HENSLEY FROM PARKS AND DIRECTOR SCULLER FROM TRANSPORTATION ARE HERE WITH ME, AS IS DIRECTOR LEE FROM WPDR. WE ALSO HAVE NANCY MCLINTOK DEPUTY DIRECTOR AT WATERSHED, MATT ALLEN AND AARON WOOD PUT TOGETHER THE MAP THAT WE'LL TALK ABOUT IN A LITTLE BIT. THE QUESTION AS TO WHY ARE WE HERE. REALLY THERE'S THREE PURPOSES. THE FIRST IS TO RESPOND TO THE COUNCIL RESOLUTION, THEY PROVIDED CLEAR DIRECTION AS TO HOW TO PROCEED. TO REALLY BEGIN THE TRAILS PLANNING PROCESS. AND TO IMPLEMENT SOME INTERMEDIATE GUIDANCE TO ENSURE THAT TRAILS CONSIDERATIONS ARE PART OF ALL FUTURE DEVELOPMENT. OUR AGENDA FOLLOWS THE ORDER OF ITEMS PURELY IN THE REQUEST FROM COUNCIL AND WE HAVE PROVIDED THE ACCOMPANYING WRITTEN REPORT. LOOKING BACK AT THE RESOLUTION FROM COUNCIL. THAT WAS TO PROVIDE AN INTEGRATE AND INCLUSIVE APPROACH TO PLANNING TRAILS THAT SERVED MULTI MODAL AND MULTI USE PURPOSES. THE CONCERNS WERE INITIALLY ADDRESSED TO PARKS AND RECREATION AND PUBLIC WORKS. SINCE THE JOINED BY THE TRANSPORTATION DEPARTMENT, AN INHERENT PART OF THE PLANNING AND AND THEY ARE INCLUDED AND [INDISCERNIBLE] INCLUDED IN ALL OF THE DISCUSSION THAT WE'VE HAD AND WILL HAVE. WHAT DID THE COUNCIL ASK US TO DO? THEY WANTED US TO ADOPT A COMPREHENSIVE APPROACH TO TRAILS PLANNING, COORDINATE WITH THE OTHER STAKEHOLDERS, DEVELOP IMPLEMENTATION STRATEGIES AND THEN COME BACK AND PROVIDE A REPORT ON THE COMPLETION OF THOSE TASKS PRIOR TO THE BICYCLE MASTER PLAN BEING UPDATED AND THE PRESENTATION OF THE PARKS AND RECREATION LONG RANGE PLANNING. SPEAKING OF A COMPREHENSIVE APPROACH WE NEED TO LOOK AT WHAT GOES INTO A MASTER PLAN. THE ELEMENTS THAT YOU SEE THERE ARE VERY SIMILAR TO WHAT WE PRESENTED IN THE SIDEWALK PLAN. AS ALWAYS WE'LL STRESS ALL OF THESE ELEMENTS, BUT PARTICULARLY A GOOD MASTER

PLAN STRESSES BOTH THE FUNDING MECHANISM TO MAKE THINGS HAPPEN AND PROVIDES A WAY TO REPORT AND PROVIDE ACCOUNTABILITY AS WELL. AS WE DEVELOP THE TRAILS MASTER PLAN, EACH OF THESE ITEMS WILL BE INCLUDED. WE STARTED OFF DOWN THE PATH, DOWN THIS TRAIL TO TO FOCUS ON WHAT THE VISION IS FOR THE TRAILS SYSTEM. CREATE AN CREATE AN INTERCONNECTED NON MOTORIZED NETWORK. [READING GRAPHIC] THE PURPOSE OF THE MASTER PLAN AS I SAID IS TO PROVIDE A PLATFORM FOR MULTI JURISDICTIONAL AND INTERDISCIPLINARY PLANNING FOR REGIONAL EXECUTION AND HAS THE FOUR OBJECTIVES SHOWN THERE. [READING GRAPHIC] THE CURRENT APPROACH TO THE TRAILS INVENTORY AND PLANNING IS GIS BASED. WATERSHED PROTECTION HAS PLAYED A SIGNIFICANT ROLE IN DEVELOPING THE GEOSPATIAL DATABASE AND THE INTERACTIVE MAP. THAT'S SIGNIFICANT BECAUSE THEY ALSO HAVE PRIMARY ROLE IN IN DEVELOPMENT REVIEW. SO THAT SO THAT TRAILS CONSIDERATIONS WILL BE CONSIDERED. I WOULD ALSO LIKE TO STRESS THAT THERE IS A PROCESS FOR UPDATING AND REVISING THE PLAN TO THAT STAYS RELEVANT. NO, MA'AM WITH THE PARKS AND RECREATION MASTER PLAN BUT WITH ITS SISTER PLANS, BICYCLE AND SIDEWALK PLAN. WE WILL HAVE A FUNDING DEVELOPMENT STRATEGY INCLUDING THE PRIORITIZATION MECHANISM VERY SIMILAR TO WHAT WE HAVE PRESENTED IN THE SIDEWALK PLAN. AS ALWAYS WE NEED TO MAINTAIN A MEANS FOR ACCOUNTABILITY. THE PREPARATION OF THE PLAN WILL BE INCLUSIVE. THERE WILL BE MAXIMUM OPPORTUNITY FOR FULL PUBLIC PARTICIPATION. IN ADDITION TO THE OWNING DEPARTMENTS, PARKS, TRANSPORTATION, PUBLIC WORKS, WE HAVE IDENTIFIED THE STAKEHOLDER ORGANIZATIONS BOTH WITHIN CITY GOVERNMENTS AND OUTSIDE AND THOSE ARE LISTED THERE. THE REQUESTS FROM COUNCIL ASK THAT WE ADDRESS BOTH ORGANIZATIONAL AND PROCESS CHANGES. SO ORGANIZATIONALLY, WE HAVE DEVELOPED AN EXECUTIVE IMPLEMENTATION GROUP. INITIALLY IT HAS DIRECTORS OF PARKS AND RECREATION, PUBLIC WORKS AND TRANSPORTATION. BECAUSE THAT'S WHO THE INITIAL RESOLUTION WAS DIRECTED AT. WE CAN LOOK TO EXPAND THAT AS THE PROCESS AND PLAN PROGRESS. WE ARE GOING TO DIVERT THE BICYCLE AND PEDESTRIAN PROGRAM OFFICE WITHIN PUBLIC WORKS, FROM WHAT I WOULD CONSIDER A BOUTIQUE OPERATION SERVING A NICHE UNTIL A LARGER DIVISION. THAT WILL HAVE OWNERSHIP OF NOT ONLY TRAILS PLAN BUT ALSO BALK AND SIDEWALK PLANS TO BE ABLE TO ENSURE THEY ARE INTEGRATED AND FULLY CROSS REFERENCED. NEIGHBORHOOD CONNECTIVITY DEFINITION WE WILL CALL THE BIKE AND PED PROGRAM, SORT OF AN OPEN PLATFORM. SUPPORTS ALL THREE DEPARTMENTS VERY EFFICIENT AS WELL AS ONE THAT'S EFFECTIVE. THEY WILL HAVE ADMINISTRATIVE CONTROL THE URBAN TRAILS WORKING GROUP. ALL OF THE MEMBER ORGANIZATIONS SIGNED UP FOR THIS. IT HELPS US TO ASSURE THAT WE HAVE A SINGLE POINT OF CONTACT FOR DEVELOPMENT OF THE TRAILS MASTER PLAN. SOME OF THE PROCESS CHANGES, PRIMARILY WE HAVE GONE FROM A FROM A VIEWPOINT OF WHO OWNS THE REAL ESTATE TO WHAT PROCESS OR WHAT PURPOSE THE TRAIL SERVES. SO THOSE THAT ARE PRIMARILY RECREATIONAL IN PURPOSELY STAY UNDERNEATH THE PARKS DIRECTOR FOR PLANNING. ENGINEERING, CONSTRUCTION AND MAINTAIN. THOSE THAT SERVE MORE OF AN URBAN OR COMMUTER PURPOSELY FALL UNDERNEATH THE TRANSPORTATION DEPARTMENT FOR ITS PLANNING

AND ENGINEERING AND SUPPORT FROM PUBLIC WORKS AND PUBLIC WORKS WILL BE RESPONSIBLE FOR BOTH THE CONSTRUCTION AND THE MAINTENANCE. THIS SORT OF FOCUS ON FUNCTIONS THAT ARE REAL ESTATE ENSURES THAT WE HAVE PLANNING THROUGHOUT THE PROCESS SO THAT WE DON'T BUILD THINGS THAT WE CAN'T MAINTAIN AND THAT WE ARE FULLY STAFFED TO DO WHAT WE NEED TO DO. THE ADVANTAGES OF THIS APPROACH ARE AS LISTED, IT PROVIDES UNIFIED VISION FOR OUR PROGRAM. CERTAINLY ENSURES EXECUTIVE LEVEL COMMITMENT AND COLLABORATION ACROSS MULTIPLE PROGRAMS, MULTIPLE DEPARTMENTS. AS I SAID BEFORE, IT DOES PROVIDE A SINGLE POINT OF CONTACT FOR MANAGEMENT AND ADMINISTRATION OF THE PLAN AS WELL AS FULL INTEGRATION OF THE TRAILS, SIDEWALKS, BICYCLES AND WITH THE PARKS MASTER PLAN. AND AS MUCH AS ANYTHING IT PROVIDES SOME EFFICIENT USE OF OUR RESOURCES. WATERSHED PROTECTION DOES HAVE OWNERSHIP OF THE DATABASE AND MAP AND ULTIMATELY WE WOULD LIKE TO MOVE TO A TRAILS NAVIGATOR SIMILAR TO THE SIDEWALK NAVIGATOR WE PRESENTED BEFORE AND ALSO WITH THE BICYCLE VERSION. THOSE THREE WILL OPERATE OFF OF THE SAME DATABASE, YOU CAN'T JUST HAVE THEM FULLY INTEGRATED SO NOT ONLY DOES IT SERVE A PLANNING PURPOSE, THE CITY STANDPOINT BUT FOR THE GENERAL PUBLIC THEY WILL BE ABLE TO PULL THE MAPS UP AND PLAN OUT THROUGH THE CITY ROUTES THROUGH THE CITY TO COMMUTE TO WORK OR FOR WEEKEND EXPEDITIONS. AT THIS TIME I'M GOING TO ASK NANCY TO COME UP AND WALK THROUGH THE MAP AND LAYERS AND ITS PURPOSE.

THANK YOU FOR LETTING ME DO THE FUN PART. I'M NANCY MCLINTOK, ASSISTANT DIRECTOR WITH THE WATERSHED DEVELOPMENT AND REVIEW DEPARTMENT. I'M GOING TO SHOW YOU A SERIES OF MAPS, WHERE WE HAVE COME FROM, WHERE WE CAN POSSIBLY GO IF WE GET THIS RIGHT. THIS FIRST MAP SHOWS A SYSTEM OF TRAILS THAT WAS REALLY PROPOSED FOR THE FIRST TIME IN THIS DOCUMENT. THIS IS A REPORT THAT WAS REQUESTED BY COUNCIL AS PART OF THE 1976 BICENTENNIAL CELEBRATION. IT LAID OUT IT WAS TERMED A BOLD PLAN TO PRESERVE, RESTORE AND ENHANCE THE CREEKS AND WATERWAYS OF AUSTIN BUT THE CENTER PIECE OF THE REPORT IS A SYSTEM OF TRAILS, A PROPOSED SYSTEM OF TRAILS AND A SYSTEM THAT LINKED EXISTING TRAILS, CREATED NEW TRAILS AND REALLY ALL OF THE URBAN CREEKS THAT FLOW INTO NOW LADY BIRD LAKE WOULD CREATE A GREAT BIG NETWORK OF INTERCONNECTED TRAILS. IT WAS A BEAUTIFUL AND VISIONARY PLAN I THINK IN ABOUT 25 YEARS THIS IS HOW FAR WE HAVE GOTTEN. THE GREEN PARTS OF WHAT WE HAVE IN FACT REALIZED AND THE RED PARTS IS WHAT WE STILL HAVE TO DO. WE HAVE ACTUALLY DONE A LITTLE BIT MORE THAN THE RED WOULD ENTAIL. IN THE LIGHT GREEN AREAS, EVEN THOUGH THERE MAY NOT BE TRAILS IN PLACE, WE HAVE DONE QUITE A BIT OF ACQUISITION FOR TRAILS THAT WERE DONE VERY EARLY ON. WHEN YOU SEE HOW PATCHY SOME OF THOSE ACQUISITIONS ARE TOWARDS CREATING THESE TRAILS YOU CAN SEE WHY WE THINK A DIFFERENT APPROACH TO TRAIL PLANNING AND IMPLEMENTATION IS GOING TO BE A LOT BETTER. THIS SHOWS PARD'S LONG RANGE PLAN. THE SOLID LINES ARE THE ONES THAT ARE ALREADY FUNDED AND THE DOTTED LINES ARE JUST PROPOSED. AND PARD'S LONG RANGE PARD'S LONG RANGE

PLANS FOCUS ON GILLEMAN CREEK, BRUSHY CREEK AND THE COLORADO RIVER. THIS PLAN I THINK IS STILL IN DRAFT FORM. SO WITH THE PASSAGE OF THIS RESOLUTION, A REALLY MUCH BIGGER VISION OF TRAILS BEGIN TO TAKE SHAPE. THE IDEA OF HOW GREAT IT WOULD BE TO HAVE A VISION THAT WENT SO FAR INTO THE FUTURE THAT YOU REALLY WERE LOOKING AT AN ULTIMATE TRAILS PLAN, WOULDN'T THAT BE A LOT EASIER TO MAKE HAPPEN IF YOU WERE LOOKING AT A LITTLE BIT MORE OF A BLANK SLATE TRYING TO PLAN TRAILS IN AREAS THAT ARE ALREADY FULLY DEVELOPED. SO THE WORKING GROUP FROM THIS RESOLUTION STARTED WITH THE CREEKS. THE CREEKS AND THE THE LAND ALONG CREEKS ARE REALLY NATURAL AREAS FOR TRAILS BECAUSE THEY ARE BEAUTIFUL, BECAUSE BY AND LARGE THEY ARE NOT DEVELOPABLE AND THEY ARE ALL CONNECTED IN SOME WAY. SO THEY DID A PARCEL BY PARCEL ANALYSIS OF ALL OF THE LAND ALONG THESE CREEKS AND THEY THOUGHT ABOUT THINGS LIKE IS THE LAND PERHAPS ALREADY OWNED BY THE CITY. IS IT COMPLETELY UNDEVELOPED, THAT MAKES IT EASIER. IS IT IN FACT SO DEVELOPED THAT THE TRAIL MAY NOT BE POSSIBLE IN THIS AREA? DOES IT COULD IT SERVE AN IMPORTANT TRANSPORTATION FUNCTION? IS THIS TRAIL IS THIS AREA ALREADY IN PARD'S LONG RANGE PLAN? SO A LOT OF THINGS THAT WENT INTO DETERMINING WHETHER OR NOT WHETHER OR NOT A TRAIL IS ACTUALLY FEASIBLE. BUT EVEN ELIMINATING ALL OF THOSE FACTORS, THE BLUE LINES HERE SHOW ALL OF THE AREAS THAT IN FACT MAY BE VERY, VERY FEASIBLE AND VERY GOOD PLACES TO HAVE TRAILS. IT'S A PRETTY EXCITING VISION THERE. CREEKS ARE NOT THE ONLY PLACE THAT YOU COULD HAVE TRAILS. YOU COULD ALSO HAVE TRAILS ALONG RAILS, ROADWAYS, PIPELINES, UTILITIES. SO THE MAP GETS EVEN MORE EXCITING AS YOU LOOK AT THE OPPORTUNITIES THERE. AND THEN THERE'S A THE WALK FOR A DAY PROJECT, THIS IS SORT OF IN THE PLANNING STAGES RIGHT FOR YOU TO SEE IF WE RIGHT NOW TO SEE IF WE CAN COME UP WITH GOOD AREAS FOR TRAILS TO CONNECT THE LAND THAT HAS BEEN BOUGHT FOR WATER QUALITY PROTECTION IN THE BARTON SPRINGS ZONE WITH SOME EXISTING TRAILS ALONG BARTON CREEK. THESE ARE GREAT VISIONS BUT WE LIKE TO THINK OF THEM AS TOOLS. RIGHT NOW THESE ARE STAFF PRODUCTS. OBVIOUSLY THEY HAVE TO GO THROUGH A LOT OF PUBLIC PROCESS FOR REFINING MAKING THIS REPRESENT WHAT THE PUBLIC REALLY WANTS TO SEE. BUT THE IDEA IS THAT THESE MAPS SHOULD BE TOOLS AND ULTIMATELY THESE MAPS NEED TO BE MADE AVAILABLE TO THE PUBLIC, TO THE DEVELOPMENT COMMUNITY AND TO THE REVIEWERS AND THE ONE STOP SHOP. THE IDEA BEING IF WE HAVE THESE VISIONS FOR THE FUTURE OUT IN FRONT OF THE DEVELOPMENT AS THE DEVELOPERS COME INTO THE ONE STOP SHOP AND BEGIN TO FORMULATE THEIR DEVELOPMENT PLANS THEY CAN SEE THERE MAY BE BIG OPPORTUNITIES FOR THEM ON THEIR LAND. ALMOST ALL DEVELOPERS TODAY UNDERSTAND WHAT A GREAT AMENITY A TRAIL CAN BE FOR THEIR PARTICULAR PROJECT. WE REALLY WANT THESE MAPS TO BECOME VITAL TOOLS TO HELP US REALIZE THE VISION HERE. I WILL TURN THIS BACK OVER TO HOWARD.

AS WE SAID, LAST SUMMER AFTER THE COUNCIL PROVIDED THE RESOLUTION, PUBLIC WORKS, PARKS, TRANSPORTATION AND THE OTHER PARTNER AGENCIES FORMED A

WORKING GROUP AND THE ACCOMPLISHMENTS OF THE GROUP OVER THE LAST SEVERAL MONTHS OR SHOWN ON THIS SLIDE. INCLUDING HEIGHTENING AWARENESS AMONG CITY DEPARTMENTS WITH PARTNER AGENCIES. I TALKED ABOUT THE PROCESS AND ORGANIZATIONAL CHANGES, MAKING SURE THAT THE THREE COMPONENTS, TRAIL, SIDEWALKS, BICYCLE PLANS WERE ALL CROSS REFERENCED. WORKING INTO A COORDINATED REGIONAL EFFORT. WATERSHED DID CREATE THE MAP AND GEO SPATIAL DATABASE THAT WILL BE INTEGRATED AMONG ALL THREE PLANS. THEN WE WILL ALSO RESEARCHED LOCALLY AND NATIONAL JURISDICTIONS WITH RELATION TO BEST PRACTICES WHICH WE INTEGRATED INTO OUR MASTER PLANNING PROCESS AS WELL. SO TO CLOSE THE LOOP AS WE REPORT BACK TO COUNCIL, I WOULD LIKE TO GO THROUGH THE THINGS THAT WERE IN THE RESOLUTION AND CONFIRM THAT WE HAVE MET THE REQUIREMENTS. SO THE THREE DEPARTMENTS HAVE COLLABORATED TO ADOPT A COMPREHENSIVE VISION AND PLAN. WE HAVE WORKED AND COLLABORATED WITH OTHER CITY DEPARTMENTS WITH RELATED ASSETS TO TO CREATE A COORDINATED PLAN. WE HAVE DEVELOPED IMPLEMENTATION STRATEGIES, INCLUDING BUT NOT LIMITED TO THESE. THE INTERDEPARTMENTAL CONSULTATION AND COORDINATION. THE DEVELOPMENT OF THE MAP AND IDENTIFYING ANY ADDITIONAL CITY DEPARTMENTAL PLANS OR PROCESSES WHICH NEED TO BE INTEGRATED. TALKED ABOUT THE ORGANIZATIONAL PROCESS CHANGES THAT WE'VE PROPOSED TO INTEGRATE. AND IN ADDITION TO THIS, POWERPOINT, WE PROVIDED A WRITTEN REPORT BACK TO COUNCIL, BOTH ON TRAILS AND WE HAVE DONE THAT BEFORE PRESENTATION OF THE BICYCLE MASTER PLAN AND PARD'S LOCK RANGE PLAN. OUR NEXT STEPS ARE REALLY TO GO FROM FOCUSING ON PROCESS TO PRODUCT. WE WANT TO INCORPORATE OUR TRAILS PLANNING, CONSTRUCTION AND MAINTENANCE EFFORTS INTO OUR BUDGETS BEGINNING WITH NEXT FISCAL YEAR AND MAKE SURE THEY ARE CLEARLY IDENTIFIED. [READING GRAPHIC] OUR INTENT IS TO COME BACK THROUGH THE LAND USE AND TRANSPORTATION SUBCOMMITTEE TO PROVIDE AN UPDATE IN NOVEMBER SO YOU CAN SEE THAT WE ARE MAKING PROGRESS. AT THIS TIME I WOULD LIKE TO JOIN MY FELLOW DIRECTORS AND ENTERTAIN ANY QUESTIONS THAT THE COUNCIL MIGHT HAVE.

MAYOR WYNN: THANK YOU ALL, QUESTIONS FOR STAFF, COUNCIL? COMMENTS?
COUNCILMEMBER LEFFINGWELL.

LEFFINGWELL: SO I THINK I RECALL THAT ONE OF THE SPECIFIC RECOMMENDATIONS SOMEWHERE ALONG THE WAY WAS THAT THE CITY COMPILE A COMPREHENSIVE INVENTORY INTERDEPARTMENTAL INVENTORY OF CITY OWNED PROPERTIES AND RIGHTS OF WAY THAT MIGHT BE AVAILABLE FOR TRAILS, IS THAT PART OF THIS PROCESS?

YES, SIR, IT IS.

LEFFINGWELL: I HAVE ONE MORE QUESTION. YOU HAVE A COMMITTEE, INTERDEPARTMENTAL COMMITTEE THAT'S WORKING ON THESE ISSUES?

WE DO.

I UNDERSTAND THAT THAT DARYL SLUSHER IS NOT ON THE COMMITTEE?

COUNCIL, I'M NOT AWARE OF THE COMPLETE MEMBERSHIP

LEFFINGWELL: I UNDERSTAND THAT HE'S NOT. I WANTED TO BRING THIS UP BECAUSE HE IS HEADING UP AN INTERDEPARTMENTAL TASK FORCE WORKING SPECIFICALLY ON TRAIL FOR A DAY, WHICH IS THE BIGGEST TRAIL PROMISE THIS CITY HAS EVER UNDERTAKEN, HAS MULTIPLE INTERSECTIONS WITH OTHER TRAILS AND BIKE AND PEDESTRIAN FACILITIES. I THINK IT WOULD BE IMPORTANT TO HAVE HIM ON THE EXECUTIVE COMMITTEE OF THIS GROUP TO MAKE SURE THAT TRAIL FOR A DAY CONSIDERATIONS ARE INCORPORATED INTO THE OVERALL PLAN. IF I CAN MAKE THAT AS DIRECTION TO THE CITY MANAGER TO INCORPORATE MR. SLUSHER IN THIS GROUP I WOULD LIKE TO DO THAT AT THIS TIME.

WE WILL ABSOLUTELY DO THAT.

MAYOR, I HAVE A QUESTION.

MAYOR WYNN: COUNCILMEMBER COLE.

COLE: I KNOW WHEN WE TALKED ABOUT THIS, WHEN I BROUGHT FORT THIS RESOLUTION IT WAS VERY IMPORTANT THAT WE WORK ON TRYING TO HAVE TRAIL CONNECTIVITY WITH EAST AUSTIN. I WOULD LIKE FOR YOU TO TALK ABOUT THAT A LITTLE BIT. WHAT WE HAVE DONE.

ONE OF THE MAIN PURPOSES OF OVERLAYING THE DIFFERENT LAYERS IN THE GEOGRAPHIC SYSTEM IS TO IDENTIFY NOT ONLY EXISTING TRAILS BUT ALSO TO LOOK FOR OPPORTUNITIES TO CONNECT ALL OF THE TRAILS THROUGHOUT NOT ONLY THE RURAL AND UNDEVELOPED AREAS BUT THROUGH THE CITY'S CORE REGION AS WELL. SO THE TRAILS PLAN WILL LOOK FOR OPPORTUNITIES NOT ONLY THROUGHOUT THE CITY AND TO ACQUIRE THE RIGHT OF WAY TO MAKE SURE THAT IT HAS ACCESSIBILITY FROM ALL PARTS OF THE CITY. AS I SAID EARLIER, THIS IS MORE OF A PROCESS. BUT THOSE CONSIDERATIONS ARE PART OF WHAT THE WORKING GROUP IS LOOKING AT. WHEN WE REPORT BACK, WE WILL MAKE SURE THAT WE ADDRESS THE GEOGRAPHIC DISBURSE OF THE EFFORTS.

THANK YOU DISPERSION OF THE EFFORTS.

WE WERE LOOKING AT THE CONNECTIVITY ALONG WALNUT CREEK BY 183. I WOULD SPECIFICALLY LIKE TO GET A REPORT BACK ABOUT THAT AREA.

COUNCILMEMBER, I WILL DO THAT AND SEND IT BACK TO YOU AS QUICKLY AS WE CAN.

COLE: OKAY.

MAYOR WYNN: AGAIN, FURTHER QUESTIONS OF STAFF? COMMENTS? THANK YOU ALL VERY MUCH.

THANK YOU.

MAYOR WYNN: COUNCIL, I GUESS THAT TAKES US NOW TO [INDISCERNIBLE] WE HAVE NOT CONDUCTED OUR T.I.F. BOARD MEMBER BOARD MEETING. AT THIS TIME I WOULD LIKE TO AGAIN RECESS THIS MEETING OF THE AUSTIN CITY COUNCIL AND CALL TO ORDER THIS MEETING OF THE BOARD OF DIRECTOR'S MEETING OF THE TAX INCREMENT FINANCING (TIF) BOARD #18. FOLLOWING AND AND WE ARE MR. GONZALEZ WALK US THROUGH A STAFF PRESENTATION.

GOOD AFTERNOON, MAYOR AND COUNCIL, THIS IS T.I.F. BOARD NUMBER 18. I WOULD LIKE TO WELCOME RODNEY RHOADES, THE EXECUTIVE MANAGER FOR THE PLANNING AND BUDGET OFFICE OF TRAVIS COUNTY. RODNEY WAS APPOINTED BY THE TRAVIS COUNTY COMMISSIONERS COURT TO SERVE ON THE BOARD.

COUNTY COMMISSIONER THEY

WE HAVE TWO RODNEYS.

RIGHT. [LAUGHTER]

THE FIRST ITEM TO APPROVE THE ELECTION OF A VICE CHAIR TO PRESIDE IN THE ABSENCE OF A CHAIRPERSON FOR THE BOARD OF DIRECTORS FOR T.I.F. NUMBER 18. AS AN EXAMPLE WITH THE WALLER CREEK T.I.F., COUNCIL APPOINTED THE MAYOR PRO TEM AS THE VICE CHAIR.

MAYOR WYNN: BOARD, I WILL ENTERTAIN A MOTION FOR VICE CHAIR OF THE T.I.F. BOARD NUMBER 18. VOLUNTEERS? [LAUGHTER] BOARD MEMBER COLE?

[INDISCERNIBLE]

COLE: I ACCEPT.

MAYOR WYNN: WITHOUT OBJECTION, COUNCILMEMBER COLE WILL SERVE AS OUR VICE CHAIR. OF T.I.F. BOARD NUMBER 18.

COLE: YES I WILL.

OKAY. THE SECOND ITEM IS TO APPROVE THE ADOPTION OF THE PROJECT AND FINANCING

PLAN WITH THE TAX INCREMENT REINVESTMENT ZONE NUMBER 18. COUNCIL, IF YOU WILL RECALL BACK IN DECEMBER 18TH, 2008, CITY COUNCIL DID CREATE THE SAFE HOME T.I.F. THROUGH AN ORDINANCE, IT HAS BEEN CREATED. THE NEXT IS IN THE PROCESS ACCORDING TO CHAPTER 311 OF THE TEXAS TAX CODE IS FOR THE BOARD TO APPROVE THE FINAL PROJECT AND FINANCING PLAN ATTACHED AS BACKUP TO THIS ITEM. AFTER THIS THE CITY COUNCIL AS A FUTURE MEETING WILL THEN APPROVE THAT FINAL PLAN AND THEN THE T.I.F. WILL HAVE BEEN WILL HAVE MET ALL OF THE REQUIREMENTS OF CHAPTER 311. THE T.I.F. IS CREATED PER THE ORDINANCE WHICH WAS ADOPTED IN DECEMBER OF 2008.

MAYOR WYNN: ANY QUESTIONS OR COMMENTS ON THE PROPOSED T.I.F. FINANCING PLAN IN ACCORDANCE WITH OUR T.I.F. ADOPTED ORDINANCE? HEARING NONE, I WILL ENTERTAIN A MOTION TO APPROVE THE FINANCING PLAN AS PRESENTED. MOTION BY BOARD MEMBER MCCracken, SECONDED BY BOARD MEMBER MARTINEZ, FURTHER COMMENTS ON THE MOTION TO APPROVE THE T.I.F. FINANCING PLAN? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

WYNN: OPPOSED? MOTION PASSES ON A VOTE OF WITH BOARD MEMBER LEFFINGWELL BOARD PASSING UNANIMOUSLY.

OKAY. THANK YOU. THAT CONCLUDES THE T.I.F. BOARD MEETING, YES.

MAYOR WYNN: THERE BEING NO BUSINESS BEFORE THIS TAX INCREMENT FINANCING BOARD NUMBER 18 BOARD OF DIRECTORS MEETING WE STAND ADJOURNED. THANK YOU, MR. RHOADES. AND WITH THAT I WILL CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. AND WHICH TAKES US TO OUR 4:00 ZONING MATTERS.

GUERNSEY: THANK YOU, MAYOR AND COUNCIL, MY NAME IS GREG GUERNSEY, DIRECTOR OF NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT. I WOULD LIKE TO WALK THROUGH SOME OF THE ZONING ITEMS THAT WE CAN OFFER FOR CONSENT APPROVAL AT THIS TIME UNDER THE 4:00 ZONING ORDINANCES AND RESTRICTIVE COVENANTS WHERE THE PUBLIC HEARINGS HAVE BEEN CLOSED. THE FIRST ITEM THAT I WOULD LIKE TO OFFER FOR CONSENT APPROVAL IS 60 . NP 2008 0025(PART) OAK HILL COMBINED NEIGHBORHOOD PLAN – APPROVE SECOND/THIRD READINGS OF AN ORDINANCE AMENDING THE AUSTIN TOMORROW COMPREHENSIVE PLAN, BY ADOPTING A LAND USE DESIGNATION ON TRACT AG (4808 WEST WILLIAM CANNON DRIVE) OF THE OAK HILL COMBINED NEIGHBORHOOD PLAN. THIS IS TO APPROVE SECOND AND THIRD READING. 61 IS REPRESENTED ITEM, C14 2008 0115 WILLIAM CANNON APPROVE SECOND/THIRD READINGS OF AN ORDINANCE AMENDING CHAPTER 25 2 OF THE AUSTIN CITY CODE BY REZONING PROPERTY LOCALLY KNOWN AS 4808 WEST WILLIAM JO CANNON DRIVE (WILLIAMSON CREEK WATERSHED BARTON SPRINGS ZONE) FROM SINGLE FAMILY RESIDENCE STANDARD LOT (SF 2) DISTRICT ZONING TO

NEIGHBORHOOD COMMERCIAL MIXED USE CONDITIONAL OVERLAY NEIGHBORHOOD PLAN (LR MU CO NP) COMBINING DISTRICT ZONING WITH CONDITIONS. THERE IS A VALID PETITION ON THE PROPERTY. HOWEVER, IT'S MY UNDERSTANDING THAT THE OWNER HAS WORKED WITH BOTH NEIGHBORHOOD ASSOCIATIONS AND RESOLVED THE ISSUES RELATED TO THOSE. HOWEVER, THERE'S AN ADDITIONAL CHANGE. THAT THEY WOULD LIKE TO NOTE FOR THE RECORD. REGARDING THE THE ORDINANCE. THAT WOULD ACTUALLY MAKE IT MORE RESTRICTIVE AND IT SPEAKS TO THE SETBACK OFF OF WILLIAM CANNON DRIVE. THAT SPECIFIC CHANGE WOULD ALTER ON PAGE 2 OF 3, THE VEGETATIVE BUFFER PROVIDED ALONG WEST WILLIAM CANNON DRIVE TO INCREASE FROM 25 FEET TO A 50 FOOT VEGETATIVE BUFFER. I ACKNOWLEDGE THAT THERE IS A VALID PETITION. AND IT HAS NOT BEEN REMOVED. IT'S ABOUT 74%. AND AT THIS TIME BUT THERE IS A REPRESENTATIVE HERE FROM THE NEIGHBORHOOD. MS. SUMMERS THAT CAN SPEAK TO THE NEGOTIATIONS THAT OCCURRED. ALSO MR. JEFF HOWARD THE APPLICANT IS HERE. WE ARE READY FOR A SECOND AND THIRD READINGS FOR BOTH OF THESE ITEMS WITH THE ACKNOWLEDGMENT THAT THERE IS A PRIVATE AGREEMENT THAT HAS BEEN MADE BUT MORE IMPORTANTLY THAT THERE IS ONE MORE CHANGE THAT'S BEEN SUGGESTED THAT STAFF HAS NO OBJECTION TO, TO INCREASE THE VEGETATIVE BUFFER ADJACENT TO WILLIAM CANNON FROM 25 FEET TO 50 FEET. AND, MAYOR, IF YOU WOULD LIKE TO HEAR FROM THEM, YOU CAN HEAR FROM THEM NOW OR WAIT A MOMENT

MAYOR WYNN: WHY DON'T WE JUST CONFIRM IF WE CAN FROM REPRESENTATIVES THAT IN FACT THESE ADDITIONAL SETBACK RESTRICTIONS ARE AGREED TO. MS. SUMMERS, WELCOME.

I'M SARAH SUMMERS WITH THE [INDISCERNIBLE] PROPERTY OWNERS ASSOCIATION. WE DO HAVE A PRIVATE AGREEMENT. WE WOULD APPRECIATE YOUR SUPPORT FOR THIS PARTICULAR ZONING WITH THE CHANGE ON THE VEGETATIVE BUFFER. THANK YOU VERY MUCH.

I WONDER IF I COULD ASK YOU A QUESTION OR PERHAPS IT'S FOR MR. GUERNSEY, I'M NOT SURE. WHAT I'M WONDERING IS WHETHER YOU HAVE WORKED WITH THE FOLKS WHOSE NAMES ARE ON THE VALID PETITION OPPOSING IT AND DO YOU HAVE A SENSE OF GIVEN THE OPPORTUNITY WOULD THEY BE NOW TAKING THEIR NAMES OFF THE VALID PETITION?

WE HAVE WORKED WITH THE RESIDENTS OF THE WEST CREEK CONDOS, A NUMBER OF THEM ARE ON THE SIGNED THE VALID PETITION. SOME SIGNED THE VALID PETITION. SOME OF OUR RESIDENTS IN WESTERN OAKS SIGNED THE VALID PETITION. WE HAVE WORKED VERY DILIGENTLY WITH THE RESIDENTS ON WHITE ELM, ONE OF WHOM IS HERE IF YOU WOULD LIKE TO SPEAK TO HER. THIS IS A CONSENSUS AGREEMENT. IT IS NOT JUST FOR WESTERN OAKS. IT IS A CONSENSUS INVOLVING A LOT OF DISCUSSION WITH THE RESIDENTS OF WHITE ELM AS WELL AS THE RESIDENTS OF THE CONDOS.

SO DO YOU HAVE ANY SENSE OF IF ALL OF THE PEOPLE THAT HAD SIGNED THE PETITION

THAT ARE REALLY SIGNED ON TO THIS AGREEMENT, HOW MUCH WOULD HOW MANY FOLKS WOULD BE LEFT? IF THE TIME WERE AVAILABLE

I'M SURE NOT 100% OF THEM ARE IN AGREEMENT. I DON'T KNOW WHAT THAT PERCENTAGE IS. I DO KNOW THAT THE MAJORITY ARE IN AGREEMENT WITH THE PRIVATE AGREEMENT.

OKAY, THANK YOU.

SURELY.

MAYOR WYNN: MR. HOWARD, ANYTHING THAT YOU NEED TO ADD?

MAYOR THANK YOU, JEFF HOWARD. YES, WE WORKED FOR FIVE MONTHS WITH SUMMERS AND HER GROUP AND ALL OF THE FOLKS SHOULD SHE'S REPRESENTING. SHE WAS REPRESENTING AND WE WERE NEGOTIATING WITH THE FOLKS ON WHITE ELM AND WEST CREEK CONDOS IS THE SOURCE OF THE PETITION. WE DIDN'T TRY TO GET EVERYBODY TO REMOVE THEIR PETITION BECAUSE WE WERE NEGOTIATING WITH ONE GROUP AND WE REACHED AN AGREEMENT. IT TOOK FOUR OR FIVE MONTHS TO DO IT. WE HAVE A COMPREHENSIVE PRIVATE RESTRICTIVE COVENANT THAT COVERS A MYRIAD OF ITEMS AND I THINK EVERYONE IS HAPPY WITH THAT AGREEMENT AND WE'RE READY TO GO FORWARD. SO WE DO AGREE WITH THE 50 FOOT VEGETATIVE BUFFER INCREASE AS WELL. WITH THAT I WILL ANSWER ANY QUESTIONS THAT YOU MIGHT HAVE.

ALSO THE PRESIDENT OF THE WEST CREEK CONDO ASSOCIATION IS HERE IF YOU WOULD LIKE TO SPEAK WITH HIM.

MAYOR WYNN: THANKS ALL OF YOU ALL. THEN WITHOUT OBJECTION, WE WILL ITEMS 60 AND 61 WILL REMAIN ON CONSENT FOR SECOND AND THIRD READING WITH THESE ADDITIONAL RESTRICTIONS AS OUTLINED BY MR. GUERNSEY.

THANK YOU, MAYOR AND ALSO, ALSO NOTE THERE WAS A TRAIL EASEMENT THAT'S BEEN EXECUTED AND OUR LAW DEPARTMENT IS IN RECEIPT THAT WOULD PROVIDE FOR A TRAIL TO BE CONTINUED ALONG WILLIAMSON CREEK. THAT WAS PRESENTED TO US TODAY. NOW IN THE POSSESSION OF THE LAW DEPARTMENT. ITEM NO. 62 . C14 2008 0214 TEX TAR WATERPROOFING APPROVE SECOND/THIRD READINGS OF AN ORDINANCE AMENDING CHAPTER 25 2 OF THE AUSTIN CITY CODE BY REZONING PROPERTY LOCALLY KNOWN AS 11600 N. IH 35 SVRD SOUTHBOUND (WALNUT CREEK WATERSHED) FROM NEIGHBORHOOD COMMERCIAL (LR) DISTRICT ZONING TO GENERAL COMMERCIAL SERVICES CONDITIONAL OVERLAY (CS CO) COMBINING DISTRICT ZONING. THIS IS READY FOR CONSENT APPROVAL ON SECOND AND THIRD READING. 63 . C14H 97 0008 NORWOOD HOUSE APPROVE SECOND/THIRD READINGS OF AN ORDINANCE AMENDING CHAPTER 25 2 OF THE AUSTIN CITY CODE BY REZONING PROPERTY LOCALLY KNOWN AS 1012 EDGECLIFF DRIVE (TOWN LAKE WATERSHED) FROM PUBLIC NEIGHBORHOOD PLAN (P NP) COMBINING DISTRICT

ZONING TO PUBLIC HISTORIC LANDMARK NEIGHBORHOOD PLAN (P H NP) COMBINING DISTRICT ZONING. THIS IS READY FOR CONSENT APPROVAL ON SECOND AND THIRD READING. 64 . C14H 2008 0038 – FAULK POWERS HOUSE APPROVE SECOND/THIRD READINGS OF AN ORDINANCE AMENDING CHAPTER 25 2 OF THE AUSTIN CITY CODE BY REZONING PROPERTY LOCALLY KNOWN AS 1812 AIROLE WAY (BARTON CREEK WATERSHED) FROM FAMILY RESIDENCE (SF 3) DISTRICT ZONING TO FAMILY RESIDENCE HISTORIC LANDMARK (SF 3 H) COMBINING DISTRICT ZONING. READY FOR CONSENT APPROVAL ON SECOND AND THIRD READINGS. 65 . C14 2008 0248 NORTH LOOP PUB APPROVE SECOND/THIRD READINGS OF AN ORDINANCE AMENDING CHAPTER 25 2 OF THE AUSTIN CITY CODE BY REZONING PROPERTY LOCALLY KNOWN AS 100 EAST NORTH LOOP BLVD. (WALLER CREEK WATERSHED) FROM COMMUNITY COMMERCIAL CONDITIONAL OVERLAY NEIGHBORHOOD PLAN (GR CO NP) COMBINING DISTRICT ZONING TO COMMERCIAL LIQUOR SALES CONDITIONAL OVERLAY NEIGHBORHOOD PLAN (CS 1 CO NP) COMBINING DISTRICT ZONING. AT FIRST READING THERE WAS A REQUEST BY COUNCIL TO CONTACT THE NORTH LOOP NEIGHBORHOOD PLANNING CONTACT TEAM. WE DID SPEAK WITH THEM AND ASKING THEM TO CLARIFY THE INTENT OF THE USE OF THE WORD PUB. IN THE PLAN. AND MR. PATRICK GOETZ FROM THE NORTH LOOP NEIGHBORHOOD PLANNING CONTACT TEAM WAS ASKED A QUESTION ABOUT THE MEANING OF PUB. WHAT HE RECALLED A PLACE WHERE PEOPLE IN THE NEIGHBORHOOD COULD GO TO SOCIALIZE AFTER WORK OVER ALCOHOLIC BEVERAGES. THAT WAS THE RESPONSE THAT WE GOT BACK, PLACED IN YOUR BACKUP. I WANTED TO NOTE THAT FOR THE RECORD. WITH THAT I WILL STILL OFFER THIS AS A CONSENT ITEM ON SECOND AND THIRD READING TO ZONE IS CS 1 CONP. ITEM NO. 66 AN APPLICANT REQUEST FOR POSTPONEMENT. 66 . C814 2008 0146 OERTLI PUD APPROVE SECOND/THIRD READINGS OF AN ORDINANCE AMENDING CHAPTER 25 2 OF THE AUSTIN CITY CODE BY REZONING PROPERTY LOCALLY KNOWN AS 12422 & 12424 DESSAU ROAD AND 1200 EAST PARMER LANE (HARRIS BRANCH/WALNUT CREEK WATERSHED) FROM DEVELOPMENT RESERVE (DR) DISTRICT ZONING WE ARE STILL WORKING ON THE TRAFFIC PHASING AGREEMENT WITH THAT ITEM AND WILL BRING THAT BACK AT ANOTHER DATE. OH, ACTUALLY THAT'S A POSTPONEMENT TO TO NEXT WEEK ON THE 2ND. APRIL 2ND.

MAYOR WYNN: THANK YOU. THAT CONCLUDES THE ITEMS THAT I CAN OFFER FOR CONSENT APPROVAL ON THIS PORTION OF THE AGENDA.

MAYOR WYNN: COUNCIL OUR PROPOSED CONSENT AGENDA ON THESE CASES WHERE WE HAVE CONDUCTED AND CLOSED THE PUBLIC HEARING WOULD BE TO TO APPROVE ITEM THE RELATED ITEMS 60 AND 61 ON SECOND AND THIRD READINGS NOTING THE ADDITIONAL SETBACK VEGETATIVE BUFFER RESTRICTION. APPROVING ITEMS 62, 63, 64, AND 65. ON SECOND AND THIRD READING. AND POSTPONING ITEM 66 TO OUR APRIL 2ND, 2009 MEETING. I'LL ENTERTAIN A MOTION. COMMENTS FIRST?

I HAD GATHERED DIFFERENT INFORMATION ABOUT ITEM 65, WHICH HAS LED ME AND THE DEFINITION WHAT THE INTENT OF THE PUB USE OF THE WORD PUB WAS. AND THAT THAT MARTHA WARD, WHO WAS ALSO THERE IN THE BEGINNING, SHE TOLD ME THAT THAT THE

INTENTION WAS THAT THAT IT HAD FOOD INVOLVED, YES, ALCOHOLIC BEVERAGES, BUT FOOD ALSO. AND DEFINITELY THE INTENTION WAS NOT A BAR. SO I'M NOT QUITE SURE WHAT TO DO WITH THIS. I CAN'T SUPPORT THIS SO I GUESS MAYBE I'LL JUST REQUEST THAT WE TAKE IT OFF CONSENT IF THAT'S ALL RIGHT.

MAYOR WYNN: SO WE HAVE A MOTION BY COUNCILMEMBER MORRISON THAT I WILL SECOND FOR CONSENT AGENDA THAT INCLUDES EVERYTHING THAT I SAID BEFORE BUT REMOVING ITEM 65 FROM THE CONSENT AGENDA THEREFORE ALLOWING IT FOR A FOR A LATER DISCUSSION. AGAIN A MOTION AND SECOND ON THE TABLE, CONSENT AGENDA, ITEMS 60, 62, 63, 64, ADDITIONAL ITEMS NOTED ON 61 AND 61 AND TO POSTPONE 66 TO THE APRIL 2ND 2009 MEETING. COUNCILMEMBER MORRISON?

I NEED TO MAKE ANOTHER COMMENT. THAT IS THAT ON NUMBER 61, WHERE WE HAVE 4808 WILLIAM CANNON WHERE THERE'S A VALID PETITION. I APPRECIATE ALL OF THE WORK THAT'S BEEN DONE AND THE CONCERNS THAT THE NEIGHBORS HAVE BROUGHT. I MAINTAIN I STILL HAVE CONCERN, I MEAN, THE STAFF DID NOT RECOMMEND PUTTING COMMERCIAL THERE IN THE FIRST PLACE. BECAUSE I CAN'T BE SURE WHETHER OR NOT IT'S REALLY A MATTER OF REMOVING THE VALID PETITION OR NOT, I THINK THAT'S SOMETHING THAT REALLY NEEDS TO BE PAID ATTENTION TO FOR THE FOLKS THAT ARE NOT IN AGREEMENT, OF MOVING COMMERCIAL INTO THAT AREA. SO I HOPE THIS IS OKAY, WITH YOU EVEN THOUGH I MADE THE MOTION, I WOULD LIKE TO ABSTAIN FROM 61.

MAYOR WYNN: SEEMS TO ME THAT WOULD BE FINE. OKAY? SO AGAIN WE HAVE A MOTION AND A SECOND ON THE TABLE FOR OUR CONSENT AGENDA, FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

WYNN: OPPOSED? SO THE MOTION PASSES UNANIMOUSLY ON THE CONSENT AGENDA, WITH THE EXCEPTION OF ON ITEM NO. 61, WE WILL NOTE THAT COUNCILMEMBER MORRISON AS NOT VOTING.

> THANK YOU MAYOR AND COUNCIL, I WILL CONTINUE WITH THE 4:00 ZONING AND NEIGHBORHOOD PLAN AMENDMENTS, THESE ARE THE PUBLIC HEARINGS THAT ARE OPEN FOR POSSIBLE ACTION THIS EVENING. THE FIRST ITEM THAT I WOULD LIKE TO OFFER FOR CONSIDERATION AND CONTENT IS 67 PH . C14 2008 0204 R. I. T. INC. CONDUCT A PUBLIC HEARING AND APPROVE AN ORDINANCE AMENDING CHAPTER 25 2 OF THE AUSTIN CITY CODE BY REZONING PROPERTY LOCALLY KNOWN AS 6516 AND 6520 SOUTH 1ST STREET (WILLIAMSON CREEK WATERSHED) FROM LIMITED OFFICE (LO) DISTRICT ZONING IT WAS ORIGINAL A ZONING REQUEST TO COMMUNITY COMMERCIAL OR GR. THE APPLICANT HAS COME BACK AND MET WITH STAFF AND AMENDED DOWN TO LR CO WHICH STAND FOR NEIGHBORHOOD COMMERCIAL CONDITIONAL OVERLAY COMBINED DISTRICT ZONING ON THIS PROPERTY. ADDED TO THE LIST PROHIBITED USES THROUGH THE CO, FOOD SALES,

RESIDENTIAL TREATMENT, RESTAURANT GENERAL, RESTAURANT LIMITED, AND SERVICE STATIONS. WITH THAT CHANGE STAFF REVIEWED THIS REQUEST AGAIN AND IS NOW RECOMMENDING THIS REQUEST. THE ZONING AND PLATTING RECOMMENDED ACTUALLY TO DENY THE GR ZONING BUT THEY DID NOT HAVE THE OPPORTUNITY TO LOOK AT THE REVISED REQUEST. WE WOULD OFFER THIS TO YOU FOR THE POSSIBLE CONSENT APPROVAL ON FIRST READING OF THE REVISED REQUEST OF LR CO COMBINED DISTRICT ZONING ON FIRST READING ONLY. ITEM NO. 68 IS CASE C14 2008 0222 WILLIAM CANNON REZONING CONDUCT A PUBLIC HEARING AND APPROVE AN ORDINANCE AMENDING CHAPTER 25 2 OF THE AUSTIN CITY CODE BY REZONING PROPERTY LOCALLY KNOWN AS THE NORTH SIDE OF WEST WILLIAM CANNON DRIVE, BETWEEN BECKETT ROAD AND RIDGE OAK ROAD (WILLIAMSON CREEK WATERSHED BARTON SPRINGS ZONE) FROM RURAL RESIDENCE NEIGHBORHOOD PLAN THE APPLICANT IS REQUESTING AN INDEFINITE POSTPONEMENT OF THIS ITEM. IT WOULD REQUIRE RENOTIFICATION, NOTICE TO BE SENT TO THOSE ADJACENT PROPERTY OWNERS AND UTILITY CUSTOMERS WITHIN 500 FEET PRIOR TO THIS CASE COMING BACK ON YOUR AGENDA. 69 PH . NPA 2008 0013.01 706 WEST OLTORF STREET, A DISCUSSION ITEM. 70 PH . C14 2008 0159 3RD AND COLORADO HOTEL CONDUCT A PUBLIC HEARING AND APPROVE AN ORDINANCE AMENDING CHAPTER 25 2 OF THE AUSTIN CITY CODE BY REZONING PROPERTY LOCALLY KNOWN AS 311 COLORADO, 301 COLORADO AND 114 W. 3RD ST. (TOWN LAKE WATERSHED) FROM CENTRAL BUSINESS DISTRICT (CBD) DISTRICT ZONING TO CENTRAL BUSINESS DISTRICT CENTRAL URBAN REDEVELOPMENT (CBD CURE) COMBINING DISTRICT ZONING. THE PLANNING COMMISSION'S RECOMMENDATION WAS TO GRANT THE CENTRAL BUSINESS DISTRICT, CENTRAL URBAN REDEVELOPMENT OR CBD CURE. THE APPLICANT SINCE THE COMMISSION APPROVAL WAS ASKED TO MODIFY THE REQUEST, TO NARROW THE AVAILABILITY OF CURE FOR THE ADDITIONAL USES TO A SINGLE USE. I UNDERSTAND THE APPLICANT HAS COME AND SPOKEN TO A LOT OF THE COUNCIL'S OFFICES SINCE THAT TIME. MAYOR WITH YOUR INDULGENCE, I WOULD LIKE TO INVITE STEVE DRENNER TO SPEAK WITH THAT ONE CHANGE. STAFF WOULD SUGGEST FIRST READING TODAY, WE COULD PROBABLY BRING THIS BACK NEXT WEEK FOR SECOND AND THIRD READING, BUT WE WOULD LIKE TO HAVE AN OPPORTUNITY TO MAKE SURE THAT THE ORDINANCE IS DRAFTED AND THAT YOU HAVE A CHANCE TO SEE IT BEFORE YOU TAKE ACTION ON IT.

MAYOR WYNN: THANK YOU, WELCOME, MR. DRENNER. MAYOR, COUNCILMEMBERS, THE PURPOSE AS MR. GUERNSEY INDICATED WAS TO NARROW THE USE THAT COULD TAKE ADVANTAGE OF THE INCREASE IN FAR, SO THE THE LANGUAGE THAT THAT WE WOULD ASK BE AMENDED WOULD ACCOMPLISH THE FACT THAT THE CURE ONLY ALLOWS A HOTEL/MOTEL USE TO EXCEED 8 TO 1 FAR. IF A HOTEL/MOTEL EXCEEDS 8 TO 1 FAR THE CONDITIONS OUTLINED IN THE DRAFT ZONING ORDINANCE AND RESTRICTIVE COVENANT APPLY. WE WOULD APPRECIATE IT IF YOU WOULD ALLOW US TO COME BACK NEXT WEEK ON SECOND AND THIRD READING. QUESTIONS?

MAYOR WYNN: QUESTIONS FOR MR. DRENNER? COUNCILMEMBER MORRISON?

I JUST WANTED TO THANK MR. DRENNER TO WORKING WITH ME ON THIS. AS YOU ALL KNOW ONE OF THE FUNDAMENTALS OF CURE ZONING IS THAT IT'S SUPPOSED TO BRING COMMUNITY BENEFITS TO THE PROJECT AND WHILE YOU WHILE THERE HAD BEEN SOME THAT HAD BEEN IDENTIFIED, SPECIFICALLY IF IT WAS GOING TO GO FORWARD WITH THE HOTEL PROJECT, THE CURE ZONING WOULD IN FACT HAVE STAYED THERE WITH THE EXTRA FAR IF IN FACT THAT PROBABLE CAUSE CHANGED. SO I APPRECIATE YOU SORT OF SCALING IT BACK SO WE ARE GUARANTEED TO GET COMMUNITY BENEFITS IF IF THERE'S AN EXCESS OF FAR OVER 8 TO 1. AND ALSO I JUST WANTED TO MENTION THAT THAT WE HAD SOME DISCUSSION ABOUT THE FACT THAT THERE IS ALSO AN ORDINANCE AND AFFORDABLE HOUSING ORDINANCE THAT A DEVELOPER CAN OPT INTO TO GET THE DENSITY BONUS ADMINISTRATIVELY IF THEY ARE WILLING TO PAY INTO A INTO A COMMUNITY BENEFITS FUND AND THAT'S THAT'S JUST REALLY NOT HAPPENING. IT HASN'T HAPPENED ONCE YET. AND SO I HOPE THAT WE CAN CONTINUE HAVING DISCUSSIONS ABOUT HOW WE MIGHT BE ABLE TO GET SOME THINGS ON THE GROUND THAT ARE MORE PRACTICAL AND THAT WOULD BE ADOPTED BY BY FOLKS SUCH AS THOSE THAT YOU REPRESENT AND I'LL LOOK FORWARD TO HAVING CONTINUED CONVERSATIONS WITH YOU ABOUT THAT.

AS WILL WE, THANK YOU.

THANKS.

THANK YOU, FURTHER QUESTIONS FOR MR. DRENNER OR COMMENTS? SO MR. GUERNSEY THE STAFF PROPOSAL IS FIRST READING ONLY ON ITEM NO. 70.

THAT'S CORRECT.

WITH ADDITIONAL CHANGES.

CHANGES.

ITEM NO. 71 PH . C14H 2008 0023 BRADFORD NOHRA HOUSE THIS IS AT 4213 AVENUE G (WALLER CREEK WATERSHED) FROM TOWNHOUSE A DISCUSSION ITEM. I THINK, MAYOR, YOU HAVE QUITE A FEW PEOPLE THAT MAY HAVE SIGNED UP FOR THIS PARTICULAR ITEM.

KUWAIT A FEW. 72 PH . C14 2009 0005 TOMANET CONDUCT A PUBLIC HEARING AND APPROVE AN ORDINANCE AMENDING CHAPTER 25 2 OF THE AUSTIN CITY CODE BY REZONING PROPERTY LOCALLY KNOWN AS 12408 TOMANET TRAIL (WALNUT THIS WILL BE A DISCUSSION ITEM. 73 PH . C14 2008 0249 COMPU SIGNS CONDUCT A PUBLIC HEARING AND APPROVE AN ORDINANCE AMENDING CHAPTER 25 2 OF THE AUSTIN CITY CODE BY REZONING PROPERTY LOCALLY KNOWN AS 11300 JOLLYVILLE ROAD (BULL CREEK WATERSHED) FROM LIMITED OFFICE (LO) DISTRICT ZONING TO GENERAL OFFICE CONDITIONAL OVERLAY (GO CO) COMBINING DISTRICT ZONING. RECOMMENDATION: TO GRANT GENERAL OFFICE CONDITIONAL OVERLAY (GO CO) COMBINING DISTRICT ZONING.

READY FOR CONSENT APPROVAL ON ALL THREE READINGS. 74 PH . NPA 2008 0019.01 – 3301 KINGS LANE. APPEAR AMENDMENT TO THE AUSTIN TOMORROW COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP FOR THE CENTRAL AUSTIN COMBINED NEIGHBORHOOD. WE HAVE A REQUEST BY THE APPLICANT'S AGENT FOR AN INDEFINITE POSTPONEMENT OF THIS ITEM. IT'S THE INTENT OF THE OF THE APPLICANT TO GO FORWARD AND FILE A REQUEST FOR THE BOARD OF ADJUSTMENT UNDERSTANDING THEIR DOCKET IS FULL UNTIL THE MONTH OF APRIL. IT WILL NOT COME BACK UP UNTIL THE MONTH OF MAY. THE AGENTS ACTUALLY MET WITH WATERSHED PROTECTION AND REVIEW DEPARTMENT STAFF AND WILL BE SUBMITTING IT SHORTLY. SINCE THERE'S NOT A PARTICULAR TIME FOR THE BOARD OF ADJUSTMENT MEETING STAFF WOULD NOT OBJECT TO AN INDEFINITE POSTPONEMENT RATHER THAN INVITING THE NEIGHBORHOOD TO KEEP COMING BACK AND WAITING FOR THAT BOARD OF ADJUSTMENT CASE. AT THAT TIME WE WOULD ALSO BRING BACK YOUR CONSIDERATION FOR FINAL ZONING AS WELL. SO THIS WOULD REQUIRE RENOTICE AND RENOTIFICATION TO TO ADDRESS THE APPLICANT'S REQUEST FOR INDEFINITE POSTPONEMENT OF THIS AND THAT MOST LIKELY WOULD BE PROBABLY AFTER MAY IF IT GET TO THE BOARD OF ADJUSTMENT OR MAYBE AS LATE AS JUNE IF IT MAKES IT

MAYOR WYNN: PERHAPS JUNE 22ND [LAUGHTER] INSIDE JOKE. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

Mayor Wynn: COUNCIL, OUR PROPOSED CONSENT AGENDA FOR THESE CASES WHERE WE HAVE YET TO CONDUCT THE PUBLIC HEARING WILL BE TO CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY ITEM NUMBER 67, BUT WITH THE NEW ZONING CATEGORY OF LR CO.

IS THAT WITH THE STAFF'S RECOMMENDED

Mayor Wynn: WITH STAFF'S RECOMMENDATION AS PRESENTED BY MR. GUERNSEY. ITEM NUMBER 68 TO BE PROPOSED INDEFINITELY. TO CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY ITEM NUMBER 70 WITH THE ADDITIONAL RESTRICTIVE COVENANT LANGUAGE. TO CLOSE THE PUBLIC HEARING AND APPROVE ON ALL THREE READINGS ITEM 73 TO INDEFINITELY POSTPONE ITEM 74. AND TO POSTPONE ITEM 75 TO THURSDAY, APRIL SECOND, 2009. I'LL ENTERTAIN THAT MOTION. MOTION MADE BY THE MAYOR PRO TEM, SECONDED BY COUNCILMEMBER MORRISON TO APPROVE THE CONSENT AGENDA AS PROPOSED. FURTHER COMMENT? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO.

THANK YOU, MAYOR AND COUNCIL. THAT BRINGS US BACK TO ITEM NUMBER 65. THIS IS THE NORTH LOOP PUB CASE, CASE C 14 2008 0248 FOR THE PROPERTY LOCATED AT 100 EAST NORTH LOOP BOULEVARD TO CHANGE THE PROPERTY ZONING TO COMMERCIAL LIQUOR SALES CONDITIONAL OVERLAY NEIGHBORHOOD PLAN COMBINING DISTRICT ZONING. THE PROPERTY VERY BRIEFLY IS A SMALL PROPERTY. IT'S ALREADY ZONED GR CO NP, WHICH IS

A COMMERCIAL ZONING DISTRICT. THE AREA TO BE REZONED IS VERY SMALL. IT'S ONLY APPROXIMATELY .166 ACRES. AND THE INTENTION IS TO OPEN UP A SMALL COCKTAIL LOUNGE. THEY CALL IT A PUB. WE WOULD CALL IT A COCKTAIL LOUNGE. IT WOULD ALSO REQUIRE A CONDITIONAL USE PERMIT FOR A COCKTAIL LOUNGE TO OPEN THAT WOULD REQUIRE THE PLANNING COMMISSION REVIEW AND THEIR APPROVAL. THAT APPROVAL OF THEIR SITE PLAN, ESPECIALLY WITH THE CONDITIONAL USE PERMIT, IS SUBJECT TO APPEAL, THAT COULD COME BACK TO THE CITY COUNCIL BY AN AGREED PARTY, EITHER THE APPLICANT OR AN EXISTING PARTY. WITH THAT I'LL PAUSE FOR A MOMENT IF YOU HAVE ANY QUESTIONS.

Mayor Wynn: THANK YOU. QUESTIONS OF STAFF, COUNCIL? COMMENTS? COUNCILMEMBER MORRISON.

Morrison: THANK YOU, I DO HAVE A QUESTION, ANOTHER QUESTION BESIDES THE WHOLE DEFINITION OF PUB THAT HAD COME UP AND WAS RAISED TO ME AGAIN IN CONVERSATION WITH SOME OF THE NEIGHBORHOOD FOLKS OVER THE PAST COUPLE OF WEEKS WAS PARKING. THERE WERE NEIGHBORS THAT WERE CONCERNED ABOUT THE IMPACT OF PARKING. AND ONE OF THE REASONS THAT WAS RAISED WAS THAT IT WAS THEIR UNDERSTANDING THAT THE RESTAURANT ACROSS THE STREET FROM THIS LOCATION HAD ACTUALLY LEASED SOME OF THE THEY DIDN'T HAVE ENOUGH PARKING, OR AT LEAST THEY FELT THEY DIDN'T HAVE ENOUGH PARKING AND THAT THEY HAD LEASED SOME OF THE PARKING IN THE SAME COMPLEX WHERE THE PROPOSAL IS. NOW, I KNOW THAT MY STAFF LOOKED TO SEE IF THERE WAS ANY SHARED PARKING ARRANGEMENT THAT WAS REQUIRED THAT WAS RECORDED BECAUSE, AS I UNDERSTAND IT, IF THEY ACTUALLY NEED THAT HAD PARKING TO SATISFY THE RESTAURANT REQUIREMENTS ACROSS THE STREET, IT WOULD BE RECORDED SOMEWHERE. BUT I GUESS I'M CONCERNED ABOUT WHAT IF IN FACT THEY JUST FELT LIKE THEY NEEDED MORE PARKING AND THAT SPACE WAS LEASED. SO PRAGMATICALLY THERE'S GOING TO BE AN ISSUE WITH PARKING. IS THERE ANY WAY THAT WE DEAL WITH THAT AS A CITY OR DOES SOMEBODY REALLY HAVE THE OPPORTUNITY TO LEASE THE SPACE AND THEN IT COUNTS AS THEIR REQUIRED SPACE?

IF IT'S A REQUIRED SPACE THERE'S A SPECIFIC PROCESS TO GO THROUGH. YOU HAVE TO HAVE SPECIFIC ZONING ON THE DONOR SITE AND RECEIVING SITE AND THAT GOES THROUGH SITE PLAN APPROVAL THROUGH OUR WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT. I'M NOT AWARE OF THAT, BUT I KNOW THE APPLICANT'S AGENT IS HERE AND HE CAN SPEAK TO ANY EXISTING LEASE ARRANGEMENTS THAT MAY EXIST BETWEEN A PROPERTY OWNER AND THE RESTAURANT ACROSS THE STREET.

Morrison: THAT WOULD BE GREAT IF WE COULD SEE IF THERE WERE ANY ACTUALLY, BEFORE WE HEAR FROM THAT, IS THERE ANYTHING THAT PRECLUDES THAT FROM HAPPENING?

NO. SO LONG AS THE PROPERTY CAN MEET ITS MINIMUM REQUIREMENT, IN ADDITION TO HAVING OFF SITE PARKING MEET THE REQUIREMENT FOR THOSE SPACES, NO, THERE'S NOT A LIMITATION THAT YOU COULD HAVE SHARED PARKING AND HAVE ALL YOUR REQUIRED PARKING ON YOUR SITE SIMULTANEOUSLY. IF IT'S AN ISSUE WHERE THERE ARE TIMING OF USES, MAYBE LIKE A THEATER IN AN OFFICE BUILDING WHERE YOU MIGHT HAVE THE OFFICE BEING CLOSED AND THEN THE PEAK PERIOD FOR A MOVIE THEATER MAY BE IN THE EVENING WHERE A LOT OF THE PATRONS WOULD COME AND SHARE THE PARKING, THERE MIGHT BE WHAT'S CALLED SHARED PARKING AS WELL, BUT I'M NOT AWARE OF AN APPROVAL OF SHARED PARKING ON THIS PROPERTY EITHER.

Morrison: BUT I GUESS THE QUESTION I'M ASKING IS LET'S SAY THAT I HAVE FOUR SPACES AND I NEED FOUR SPACES FOR MY REQUIREMENT, AND SO I GET APPROVED, BUT I'VE ALSO LEASED THOSE SPACES TO SOMEBODY ELSE WHO DIDN'T REALLY NEED THEM, BUT I LEASED THEM. WE DON'T HAVE ANY PURVIEW OVER THAT.

WE WOULD NOT HAVE PURVIEW. WE WOULD NOT KNOW IF THAT'S ACTUALLY HAPPENING. I GUESS IF WE BECAME AWARE THAT THERE WAS PARKING NOT AVAILABLE TO MEET THE MINIMUM REQUIREMENT, THEN THAT WOULD BE A ZONING VIOLATION AND OUR SOLID WASTE SERVICES DEPARTMENT, CODE DIVISION COULD CITE THEM FOR NOT HAVING THE AVAILABLE PARKING TO MEET THE MINIMUM REQUIREMENT ON THAT PROPERTY.

Morrison: OKAY. MAYBE WE COULD SPEAK TO THE AGENT JUST TO GET HIS PERSPECTIVE.

THANK YOU, MAYOR AND COUNCIL. I REPRESENT THE NORTH LOOP. WE'RE NOT AWARE OF THE RESTAURANT HAVING A PARKING AGREEMENT, BUT WHAT THE RESTAURANT HAS IS A LEASE ON THE WHOLE BUILDING. SO WHAT SHE IS DOING IS ACTUALLY LEASING A PORTION OF THAT BUILDING THROUGH HER SUBLEASE. WE HAVE TO GO THROUGH A CONDITIONAL USE SITE PLAN, WHICH WE'VE ALREADY FILED, SO WE'LL HAVE TO PROVIDE THE PARKING FOR THIS USE AND SHOW THE STAFF THAT THAT IS CONSISTENT WITH THE CODE.

Morrison: AND THE RESTAURANT ACROSS THE STREET PROVIDES ALL ITS OWN PARKING.

IT DOES.

Morrison: OKAY. THANK YOU. I GUESS I WOULD LIKE TO GO BACK TO THE ISSUE OF THE DEFINITION OF PUB. I THINK IT'S REALLY FORTUNATE THAT THAT WORD GOT IN THERE. IT WAS SO APPARENTLY AMBIGUOUS, AND HAVING HEARD FROM MR. GOETZ THAT HE SAID THAT AS FAR AS HE WAS CONCERNED, HIS MEMORY WAS THAT IT WAS A PLACE THAT SERVED ALCOHOLIC BEVERAGES, WHICH COULD MEAN A RESTAURANT, NOT A BAR. AND THAT WOULD BE CONSISTENT WITH MS. WARD'S PERSPECTIVE, WHO I SPOKE TO WHO SAID NO, WE NEVER INTENDED TO HAVE A BAR THERE. PERSONALLY I'M VERY CONCERNED ABOUT PUTTING CS ONE IN THE MIDDLE OF NEIGHBORHOODS. I DON'T THINK THE USE OF THE WORD PUB IN THE NEIGHBORHOOD PLAN IS A GOOD REASON TO BE PUTTING

ALLOWING A BAR TO GO IN THERE. ALTHOUGH I REALIZE IT'S A TERRIFIC AREA AND IT'S SORT OF A VIBRANT IDEA ABOUT HAVING A SMALL NEIGHBORHOOD BAR SUCH AS IT IS, I DON'T THINK THIS IS THE RIGHT PLACE FOR A BAR. SO I WOULD LIKE TO MOVE THAT WE DENY THE ZONING APPLICATION.

Mayor Wynn: WE HAVE A MOTION BY COUNCILMEMBER MORRISON ON ITEM NUMBER 65 TO DENY THE ZONING CASE. COUNCILMEMBER SHADE.

[INAUDIBLE NO MIC].

Mayor Wynn: WE HAVE A SECOND BY COUNCILMEMBER SHADE FOR DISCUSSION PURPOSES AT LEAST. AND COMMENTS?

Shade: I APPRECIATED MR. GOETZ'S RECOLLECTION AND I RECOGNIZE THAT WE HAVE A DIFFERENT RECOLLECTION. I MEAN, IS THERE ANY WAY TO HAVE DO WE HAVE ANY OTHER INFORMATION? SO THOSE PEOPLE THAT ARE IN SUPPORT OF THIS

I DON'T KNOW IF I HAVE A TIE BREAKER FOR YOU, BUT WE COULD GO BACK TO THE NEIGHBORHOOD PLANNING CONTACT TEAM AND ASK THEM THE ENTIRE CONTACT TEAM IF THERE'S NOT THAT MANY OF THEM OR GET SOME MORE REQUESTS FOR INFORMATION FROM THEM. WHEN STAFF LOOKED AT THIS, THE NEIGHBORHOOD PLAN IDENTIFIED RESTAURANTS AND PUBS AS BEING SOMETHING SEPARATE BECAUSE IT MENTIONED THEM INDIVIDUALLY. AND THAT'S REALLY THE REASON WHY STAFF CAME FORWARD. AND WE DON'T NECESSARILY TAKE USES AND DIVIDE THEM UP INTO SMALLER SEGMENTS.

Shade: THAT'S THE REASON WHY IT'S HARD WHEN WE'RE TALKING NEIGHBORHOOD PLANNING WITH WORDS THAT ARE DIFFERENT, NOT CONSISTENT WITH THE ZONING CATEGORIES.

THE CS 1, WHEN YOU SPEAK TO COCKTAIL LOUNGES, BASICALLY IT AN ESTABLISHMENT THAT IS SERVING MORE ALCOHOL THAN FOOD AND A RESTAURANT SERVES LESS ALCOHOL THAN FOOD. SO YOU'RE KIND OF LOOKING AT THAT 51 PERCENT LINE. THERE'S NOT AN EASY WAY JUST TO SAY IT'S 22% OR 36% BECAUSE THEN THERE ARE OTHER LAWS THAT WE FALL UNDER THE TABC RULES THAT I WOULD HAVE TO PROBABLY TALK WITH OUR ATTORNEY ABOUT BECAUSE OUR ALCOHOLIC BEVERAGE LANGUAGE IS ACTUALLY GRANDFATHERED BECAUSE OUR ALCOHOLIC BEVERAGE LAWS REALLY HAVEN'T CHANGED SINCE THE '80'S. IF YOU START CHANGING THEM THERE ARE THINGS THAT HAPPEN THAT MAY MAKE IT MORE DIFFICULT FOR THE CITY OF AUSTIN TO ENFORCE ITS ALCOHOLIC BEVERAGES ZONING REGULATION. I DON'T WANT TO GO INTO A LOT OF DETAIL ABOUT THAT.

Shade: I WISH I HAD A BETTER SENSE OF WHAT THE NEIGHBORHOOD'S INTENTION WAS. IF THEY HAD USED THE CATEGORIES THAT ARE CONSISTENT WITH OUR ZONING, THAT WOULD

BE EASIER FOR I GUESS NO ONE HAS A WAY OF KNOWING THAT. THERE ARE PEOPLE THAT WERE PARTICIPATING IN THAT. I WOULD LIKE TO HAVE I CONCUR WITH COUNCILMEMBER MORRISON THAT IT'S A PRETTY BIG DEAL TO GIVE THAT ZONING AND THAT ZONING DOES STICK WITH THE PROPERTY AFTER THIS WOMAN WHO HAS A WONDERFUL IDEA AND UNDERSTANDABLY LOCAL SUPPORT, BUT THEN WHAT IF IT IS A DIFFERENT KIND OF BEER JOINT OR BAR DOWN THE ROAD? AND THAT'S WHAT I SO I FEEL LIKE WE ALWAYS SAY AT THESE MEETINGS, THE ZONING GOES WITH THE PROPERTY. SO I HAVE A LOT OF CONCERN FOR SOME NEIGHBORS REMEMBERING IT DIFFERENTLY.

THE ONLY COMFORT MIGHT BE THAT THERE WOULD BE ANOTHER PROCESS IF YOU WERE TO APPROVE THIS, WHICH IS A CONDITIONAL USE PERMIT PROCESS, THAT WOULD HAVE TO GO BEFORE THE PLANNING COMMISSION AND HAVE A HEARING TO REVIEW THE SITE PLAN WHERE ISSUES OF PARKING, SET BACKS WOULD BE LOOKED AT FOR THIS TENANT SPACE. AND EVEN IF THE OWNERSHIP CHANGED, WHOEVER THE NEW OWNER WOULD BE OR NEW LEASE TENANT WOULD BE, THEY WOULD HAVE TO FILE THOSE SAME FOLLOW THOSE SAME CONDITIONS OF THAT CONDITIONAL USE PERMIT SITE PLAN IN ORDER TO OPERATE. IF THEY WANT TO DEVIATE FROM THAT THEY MAY HAVE TO GO BACK BEFORE THE PLANNING COMMISSION TO SEEK APPROVAL. AND BOTH THE ORIGINAL APPROVAL AND ANY CHANGE MAY HAVE TO COME BACK IF THERE'S AN APPEAL TO THE FULL COUNCIL.

Shade: WELL, ON THAT I'LL DEFER BACK TO MY MORE EXPERT THIS IS WHEN YOU CAN

IF THE COUNCIL WISHES, WE CAN GO BACK AND ASK THE CONTACT TEAM TO TAKE A MORE FORMAL POSITION AND GIVE US A LETTER OR A MEMO OR SOMETHING FROM THEM, IF THAT'S YOUR DESIRE.

Morrison: I THINK THAT WOULD PROBABLY BE A GOOD NEXT STEP. BECAUSE THE CONDITIONAL USE PERMIT, I UNDERSTAND THAT THAT DOES GIVE US SOME OVERSIGHT; HOWEVER, WHEN IT CHANGES OWNERS, IF IT CHANGES FROM SOME FUNKY DOWN HOME PLACE TO, I DON'T KNOW WHAT COULD BE CONSIDERED OFFENSIVE, BUT SOMETHING THAT'S CONSIDERED OFFENSIVE. YOU DON'T HAVE CONTROL OF THAT AS LONG AS THEY USE THE SAME PARKING AND DON'T CHANGE ANY OF THE SITE PLAN. SO IT DOESN'T REALLY GIVE YOU VERY STRICT CONTROL OVER THE INDIVIDUAL. SO IF YOU ALL COULD ACTUALLY SORT OF ASK THE PLANNING TEAM TO CONVENE AND MAKE A FORMAL STATEMENT TO US, THAT MIGHT BE A GOOD NEXT STEP.

Shade: I WOULD APPRECIATE THAT.

Mayor Wynn: SO WE HAVE A MOTION AND A SECOND ON THE TABLE TO DENY THE ZONING CASE. SO WE HAVE WITHDRAWN WE HAVE A WITHDRAWN MOTION.

POSTPONE IT?

Mayor Wynn: IN LIEU OF THAT, MOTION TO POSTPONE IS THERE HOW TIME SENSITIVE IS THIS CASE, MR. GUERNSEY?

PERHAPS THE AGENT, I KNOW THEY'VE BEEN WANTING TO GET IN. I DON'T THINK THERE WOULD BE ENOUGH TIME BEFORE NEXT WEEK TO COMMUNICATE WITH THE CONTACT TEAM.

Mayor Wynn: IT'S EITHER ONE WEEK OR FOUR, UNFORTUNATELY.

SINCE WE CANCELLED THE NEXT MEETING, A REASONABLE LENGTH OF TIME MAYBE THE 23rd. YOU HAVE A MEETING NEXT WEEK, BUT THEN THE FOLLOWING TWO THURSDAYS AFTER THAT ARE THERE ARE NO CITY COUNCIL MEETINGS.

Mayor Wynn: SO WE HAVE A MOTION BY COUNCILMEMBER MORRISON, SECONDED BY COUNCILMEMBER SHADE TO POSTPONE ITEM 65 TO THURSDAY, APRIL 23rd, 2009. FURTHER COMMENT? COUNCILMEMBER LEFFINGWELL.

Leffingwell: I WOULD LIKE TO MAKE A MOTION TO APPROVE THE PLANNING COMMISSION RECOMMENDATION ON THE SECOND READING ONLY, AND THAT WILL GIVE AN OPPORTUNITY TO HAVE THAT INFORMATION BEFORE IT COMES BACK FOR FINAL READING.

SECOND.

Mayor Wynn: WE HAVE A SUBSTITUTE MOTION BY COUNCILMEMBER LEFFINGWELL, SECONDED BY COUNCILMEMBER MARTINEZ TO APPROVE PLANNING COMMISSION RECOMMENDATION ON SECOND READING ONLY, SAME EFFECT OF KEEPING MOMENTUM WITH THE CASE, I GUESS. HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.? OPPOSED? MOTION ON SECOND READING ONLY PASSES ON A VOTE OF SEVEN TO ZERO.

THANK YOU, MAYOR AND COUNCIL.

Mayor Wynn: MR. GUERNSEY, WHAT WE NEED TO DO NOW, JUST LOOKING AHEAD AT THE PUBLIC HEARING ZONING CASES, WE HAVE SEVEN OF US UP HERE, BUT ONLY THROUGH THE 5:30 BREAK FOR LIVE MUSIC. AND OF THE CASES THAT I SEE, ONLY THE ITEM 71 HAS A VALID PETITION THAT MIGHT BRING INTO PLAY ALL SEVEN VOTES. SO I THINK WE NEED TO TAKE UP ITEM NUMBER 71 NOW, IF WE COULD.

VERY GOOD. LET ME INTRODUCE STEVE SADOWSKY TO PRESENT ITEM NUMBER 71.

GOOD AFTERNOON, MR. MAYOR AND COUNCILMEMBERS. I'M STEVE SADOWSKY. THIS IS CASE C 14 H 2008 0023, THE BRADFORD NOHRA HOUSE AT 4213 AVENUE G. CURRENT ZONING ON IT IS SF 6 NCCD. THE PROPOSED ZONING IS FH 6 H NCCD AND IT'S RECOMMENDED TO YOU BY THE HISTORIC LANDMARK COMMISSION AND THE PLANNING

COMMISSION. THIS HOUSE WAS BUILT IN 1908. IT'S ON A CORNER IN HYDE PARK AT 43rd AND AVENUE G. THE FIRST OWNER OF THE PROPERTY WAS WILLIAM STEWART, A REAL ESTATE MAN. HE LIVED HERE FOR A SHORT PERIOD OF TIME, SOLD THE PROPERTY TO GEORGE CHRISTIAN, THE PRESIDENT OF AUSTIN LUMBER COMPANY, WHO LIVED HERE UNTIL AROUND 1913 WHEN IT WAS PURCHASED BY CLYDE BRADFORD. CLYDE BRADFORD HAD A PAINT COMPANY. IT WAS ORIGINALLY CALLED BRADFORD DORFLINGER COMPANY, BUT BY 1916 HE HAD RENAMED IT THE CA BRADFORD PAINT COMPANY. AND HE MAINTAINED THIS BUSINESS FOR MANY YEARS. AT FIRST IT WAS IN THE 700 BLOCK OF CONGRESS. HE THEN MOVED IT TO WEST NINTH STREET AT THE CORNER OF COLORADO. HIS SON DEWEY BRADFORD ALSO WENT INTO THE BUSINESS AND LIVED IN THIS HOUSE AS WELL. THE BRADFORD FAMILY LIVED HERE FROM 1913 UNTIL ABOUT 1943. DEWEY BRADFORD WAS ACTUALLY BORN IN ROUND ROCK AND HAD A VERY INTERESTING WIFE AND CAREER. HE WAS A FORMER HEAVYWEIGHT BOXER, A CHARIOT DRIVER, A FOOTBALL PLAYER FOR U.T., AND HE SERVED IN THE MARINES DURING WORLD WAR I. HE SPENT TIME IN HOLLYWOOD BECAUSE HE WAS INTERESTED IN ACTING. THEN HE CAME BACK TO AUSTIN TO ASSUME THE FAMILY BUSINESS. HE WAS ALSO VERY PROMINENT PATRON OF THE ARTS AND HE INTRODUCED ARTISTS SUCH AS SALINAS, CHARLES BERKLEY NORMAN AND G HARVEY JONES TO THE ART WORLD THROUGH HIS GALLERY, THE COUNTRY ART STORE UP ON LAVACA STREET. THE HOUSE, AS I SAID, THE BRADFORDS LIVED HERE UNTIL ABOUT 1943. THEY THEN SOLD IT TO THE CURRENT OWNER, WHO IS MS. HELEN NOHRA. MS. NOHRA WAS THE MANAGER OF A CONVALESCENT HOME. THE PROPRIETOR OF A NURSING HOME. AND SHE IS RETIRED AT THIS POINT. THE HOUSE IS I GUESS WE COULD CALL IT A VERY INTERESTING EXAMPLE. IT'S BEEN CALLED NEO CLASSICAL IN STYLE. IT HAS A HIPPED ROOF, VERY PROMINENT FRONT PORCH, BUT IT HAS BEEN STUCCOED OVER. IT DOES NOT MAINTAIN ITS ORIGINAL APPEARANCE. THE HOUSE WAS ORIGINALLY WOOD FRAMED. IT'S BEEN STUCCOED OVER. ALL OF THE WINDOWS HAVE BEEN REPLACED, EVEN THOUGH THE ORIGINAL WINDOW OPENINGS EXIST. AND AN OPEN PORCH WITH AN OPEN ARCADE ON THE BOTTOM AND A SLEEPING PORCH ON THE SECOND FLOOR HAS BEEN COMPLETELY ENCLOSED AND INCORPORATED INTO THE HOUSE. THERE'S ALSO A NUMBER OF ADDITIONS, ONE ON THE BACK THAT YOU CAN SEE HERE THAT HAS 1940'S METAL FRAME CASE. WINDOWS. THERE IS ALSO A LARGE ADDITION ON THE BACK AT A DIAGONAL ANGLE TO THE MAIN HOUSE THAT WAS ALSO BUILT IN THE LATE 1940'S, WE BELIEVE. WE DON'T HAVE ANY KIND OF BUILDING PERMIT OR RECORD AS TO WHEN THESE CHANGES WERE MADE TO THE HOUSE. THEY LOOK LIKE THEY DATE FROM THE LATE 40'S OR PERHAPS EVEN THE MID TO LATE 50'S DUE TO THEIR ARCHITECTURE AND THE USE OF THESE METAL CASEMENT WINDOWS. STAFF CANNOT RECOMMEND THIS HOUSE FOR HISTORIC LANDMARK DESIGNATION AND I CAN TELL YOU THIS IS A VERY HARD CASE BECAUSE MR. BRADFORD IS A VERY IMPORTANT HOUSE IN AUSTIN AND THIS HOUSE OUGHT TO BE COMMEMORATED, SUFFER ONE OF THE PRIMARY PHILOSOPHIES OF LANDMARK DESIGNATION IS THAT A HOUSE MUST MAINTAIN ITS HISTORIC APPEARANCE. AND WHEN WE LOOK AT THAT, THE TEST FOR THAT IS THE TEST OF INTEGRITY OF MATERIALS AND DESIGN. THE TEST IS IF THE PERSON ASSOCIATED WITH THIS HOUSE HISTORICALLY CAME BACK TO IT TODAY, WOULD

HE OR SHE RECOGNIZE IT? AND STAFF IS PUTTING FORWARD THAT NO, DEWEY BRADFORD WOULD NOT. WE HAVE HISTORIC PHOTOGRAPHS OF THE HOUSE THAT SHOW A WOOD FRAME EXTERIOR, COLONIAL REVIVAL STYLE WINDOWS AND SCREENS AND AN OPEN PORCH WITH A SLEEPING PORCH ABOVE ON THE SOUTHSIDE OF THE HOUSE. SO IT FAILS THE TEST OF INTEGRITY. WE JUST I GUESS THE BIG PROBLEM HERE IS THAT THE HOUSE IS WHAT IT IS. AND IT DOES NOT LOOK THE WAY IT DID WHEN THE BRADFORDS LIVED HERE, AND THE BRADFORDS WERE THE MOST PROMINENT OWNERS AND OCCUPANTS OF THIS HOUSE AND WE WOULD BASE A LANDMARK DESIGNATION NOMINATION BASED UPON THEIR THE ASSOCIATION WITH THE BRADFORD FAMILY, BOTH CLYDE AND HIS SON DEWEY. WE HAVE HAD MANY HOUSES IN AUSTIN THAT ARE IN TERRIBLE SHAPE, AND THIS IS ONE OF THEM, THAT HAVE BEEN RESTORED AND THEN LANDMARKED. WE HAVE NEVER LANDMARKED A HOUSE WITHOUT A PRESERVATION PLAN. WITHOUT A MAN FOR RESTORING WITHOUT A PLAN FOR RESTORING IT TO ITS HISTORIC APPEARANCE. IF THE COUNCIL AGREES TO LANDMARK DESIGNATION FOR THIS HOUSE, STAFF IS VERY MUCH AFRAID THIS WOULD SET A VERY DANGEROUS PRECEDENT. THIS MEANS THAT HOUSES DON'T HAVE TO MAINTAIN THEIR HISTORIC APPEARANCE ANYMORE AND CAN STILL BE LANDMARKED. AND I'M NOT SURE AS STAFF THAT THAT IS IN CONFORMANCE WITH OUR CODE SECTION THAT SET OUT THE CRITERIA FOR LANDMARK DESIGNATION. SO IT IS VERY DIFFICULT FOR ME TO SAY, BUT STAFF CANNOT RECOMMEND THIS HOUSE BECAUSE OF THE CHANGES THAT HAVE BEEN MADE AND THE LACK OF A PLAN FOR RESTORING THE HISTORIC APPEARANCE. THANK YOU.

Mayor Wynn: THANK YOU, MR. SADOWSKY. WE KNOW HOW DIFFICULT THESE CASES ARE. QUESTIONS FOR STAFF, COUNCIL? COMMENTS? COUNCILMEMBER MORRISON.

Morrison: COULD YOU DESCRIBE WHAT WOULD BE IN A PRESERVATION PLAN IF THERE WERE ONE?

WELL, WE'VE GOT HISTORIC PHOTOGRAPHS, COUNCILMEMBER, SO THE RESTORATION PLAN WOULD BE TO TAKE IT BACK TO ITS HISTORIC APPEARANCE, THE APPEARANCE IT HAD WHEN THE BRADFORDS LIVED THERE. SO WE KNOW THE TYPE OF WINDOWS THAT IT HAD, WHICH HAVE ALL BEEN REPLACED. WE WOULD HAVE TO PUT IN REPLACEMENT REPRODUCTION REPLACEMENT WINDOWS. TAKE THE STUCCO OFF. WE DON'T KNOW WHAT CONDITION THE WOOD SIDING WOULD BE UNDERNEATH IT. THERE'S A POSSIBILITY THAT A LOT OF THAT WOULD HAVE TO BE REPLACED BECAUSE ONE OF THE PRINCIPAL PROBLEMS THAT THE OWNERS HAVE COMMUNICATED TO US ABOUT THIS HOUSE IS THAT IT'S NOT WATER TIGHT. SO THERE COULD BE EXTENSIVE DETERIORATION OF THE HISTORIC MATERIALS UNDERNEATH.

Morrison: SO IT WOULD BE SORT OF THE SPECIFIC STEPS THAT THE OWNER WOULD HAVE TO UNDERGO TO GET IT BACK TO THE ORIGINAL CONDITION. OR AT LEAST

TO ITS HISTORIC APPEARANCE.

Morrison: OKAY. THANK YOU.

Mayor Wynn: COUNCILMEMBER SHADE.

Shade: THERE ARE ALSO ALTERNATIVES, YOU KNOW. THERE ARE SEVERAL OTHER CATEGORIES, SO ARCHITECTURAL HISTORICAL ASSOCIATIONS, COMMUNITY VALUE, LANDSCAPE ARE THE OTHER ITEMS, THAT IF TWO OF THESE ARE MET, THEN IT COULD HAVE GOTTEN STAFF'S RECOMMENDATION. I'M JUST CURIOUS IF YOU CAN ADDRESS THOSE. IF IT DIDN'T MAINTAIN THE HISTORIC APPEAR WITNESS, WE WOULDN'T GO ON TO STEP TWO. BUT THE OTHER CRITERIA FOR DESIGNATION THE TWO MOST COMMON ARE ARCHITECTURAL SIGNIFICANCE AND HISTORICAL ASSOCIATIONS. THIS HOUSE HAS HISTORICAL ASSOCIATIONS. COMMUNITY VALUES ARE VERY VAGUELY WORDED FOR LANDMARK DESIGNATION. AND IN MY MIND AND THE COMMISSION'S MIND, COMMUNITY VALUE HAS ALWAYS BEEN SOMETHING THAT IS SO UNIQUE THAT A LARGE OR A LARGE GROUP OF THE CITIZENRY OF AUSTIN VIEWS THIS AS INTEGRAL TO THE CHARACTER OF THE ENTIRE CITY. THIS WOULD NOT THIS IS MORE THAN PEOPLE IN A NEIGHBORHOOD REVERING SOMETHING THAT IS IN THEIR PARTICULAR NEIGHBORHOOD. COMMUNITY VALUE REALLY NEEDS TO BE CITYWIDE.

Mayor Wynn: FURTHER QUESTIONS FOR MR. SADOWSKY OR STAFF? SO TECHNICALLY VIS A VIS OUR CODE IN CONDUCTING THE PUBLIC HEARINGS, SO THE CITY I GUESS IS OUR APPLICANT, AND SO BUT THE CITY STAFF IS NOT RECOMMENDING HISTORIC, SO TO KEEP THAT SEQUENCE THE SAME, I THINK WHAT WE SHOULD DO IS HEAR FROM FOLKS THEN WHO ARE IN AGREEMENT WITH STAFF RECOMMENDATION, THAT BEING FOLKS IN OPPOSITION TO THE ZONING CASE. THEN WE'LL HEAR FROM FOLKS IN SUPPORT AND THEN WE'LL HAVE A ONE TIME THREE MINUTE REBUTTAL, BUT I DOUBT THAT WILL BE APPROPRIATE IN THIS CASE. SO MR. DONALD (INDISCERNIBLE).

[INAUDIBLE NO MIC].

Mayor Wynn: IS RON THROWER IN THE ROOM? WELCOME. SO MR. NASSOUR, RON HAS WELCOMED TO GIVE YOU HIS MINUTES. YOU WILL HAVE SIX IF YOU NEED IT AND YOU WILL BE FOLLOWED BY DONALD ZAPONO.

THANK YOU. MAYOR, COUNCILMEMBERS, MY NAME IS JIMMY NASSOUR AND I'M HERE ON BEHALF OF THE NOHRA FAMILY, THE CURRENT OWNERS OF THE HOME AT 4213 AVENUE G. BEFORE YOU IS A PACKET, AND I'LL GET TO THAT PACKET HERE BRIEFLY, BUT MRS. NOHRA HAS LIVED IN THIS HOME AT 4213 AVENUE G FOR OVER 65 YEARS. SHE HAS PAID TAXES ON IT FOR 65 YEARS AND SHE DOES NOT WANT HER HOME ZONED HISTORIC. THIS IS NOT CLYDE LITTLEFIELD'S HOME, THIS IS NOT L.B.J.'S HOME. THE STAFF HAS RECOMMENDED THIS PROPERTY NOT BE ZONED HISTORIC. THE NATIONAL REGISTER SHOWS THIS HOUSE

TO BE NON CONTRIBUTING, MEANING THAT IT HAS NO CONTRIBUTING VALUE BECAUSE OF THE NUMEROUS ALTERATIONS AND ADDITIONS OVER THE YEARS AS WELL AS THE PROPERTY'S CONDITION. AND WITHOUT ADDRESSING THE PROMINENCE OF MR. BRADFORD, I WAS JUST NOTING THE YEARS THAT YOUR STAFF NOTED THAT MR. BRADFORD LIVED AT THIS HOME. HIS PROMINENCE REALLY CAME AFTER 1944. AND AT THAT TIME HE WAS LIVING ON STRATFORD DRIVE. THAT HOME HAS BEEN DEMOLISHED. IF THERE WAS A HOME MAYBE THAT SHOULD HAVE BEEN ZONED HISTORIC, PERHAPS THAT SHOULD HAVE BEEN IT. THE HISTORIC ZONING INITIATED BY A MUNICIPALITY SHOULD BE USED WITH CAUTION. IN ZONING AGAINST A PROPERTY OWNER'S WISHES SHOULD BE USED WITH EXTREME CAUTION. ITS USE HERE IS OVERREACHING. AND IT DILUTES THE SIGNIFICANCE OF THE POLICE POWER THAT YOU ARE VESTED WITH. IN FACT, ITS USE HERE IN MY OPINION WOULD BE A TAKING WITHOUT COMPENSATION AND WOULD SET A VERY DANGEROUS PRECEDENT. THE PACKAGE BEFORE YOU JUST BRIEFLY I WANTED TO GO THROUGH SOME THINGS. IN INDEX ONE IS THE NATIONAL REGISTER AND HIGHLIGHTED IN THERE IS THE NOTATION THAT BASICALLY SHOWS 4213 AVENUE G AS BEING NON CONTRIBUTING. THE SLOT 2 HAS NUMEROUS PARAGRAPHS PHOTOGRAPHS OF THE PROPERTY. IF YOU WILL TAKE A MINUTE TO LOOK AT THOSE, YOU WILL NOTICE THE EXTREME WATER DAMAGE THAT'S VISIBLE AND OBVIOUS ON THE EXTERIOR OF THE HOUSE, WHICH TO ME WOULD MEAN THE THERE'S OBVIOUS INTERIOR DAMAGE ALSO AND THE COST OF RESTORATION WOULD BE PROHIBITIVE. TAB 3 IS A PROPERTY INSPECTION REPORT, THIRD PARTY REPORT BY PRECISION INSPECTIONS. AND IN THE REPORT YOU WILL NOTE ALL THE ITEMS THAT WERE INSPECTED. THE NOTATION OF R THAT IS CHECKED SHOWS THAT THEY'RE NOT FUNCTIONING OR NEED TO BE IN REPAIR. EVERY ITEM IN THIS HOUSE HAS AN R CHECKED BY IT WITH THE EXCEPTION OF THE DOORBELL. THE ROOF, THE FOUNDATION, THE EXTERIOR WALLS, ELECTRICAL, HVAC, EVERYTHING IS IN NEED OF EXTENSIVE REPAIRS. TAB 4 IS A THIRD PARTY ENVIRONMENTAL REPORT PERFORMED BY MAXWELL ENVIRO TECH. IN THE INSPECTION SUMMARY HE NOTES THAT THE INITIAL VISUAL INSPECTION FOUND WATER DAMAGE ATTRIBUTABLE TO VARIOUS PLUMBING LEAKS. HE HAS A SAMPLING SHOWING CONCENTRATIONS OF MOLDS IN ALL ROOMS TESTED EXCEPT THE SECOND FLOOR PORCH AND NORTH KITCHEN. MOLD IN THE AIR. HE SHOWED ELEVATED LEVELS OF SEVERAL GENESIS AND AIRBORNE MOLD IN THE KITCHEN. OF PARTICULAR CONCERN WAS THE PRESENCE OF GENESIS REPORTED INSIDE THAT WERE NOT PRESENT IN THE OUTSIDE AIR. THE RECOMMENDATION THAT HE HAS IS HIGHLIGHTED IN YOUR PACKAGE. THE THE RESIDENCE CANNOT BE REMEDIATED FOR MOLD WITHOUT WORK ON THE PLUMBING SYSTEM. IN ADDITION TO THE MOLD PROBLEMS, THE FACILITY DOES NOT MEET CODE IN NUMEROUS AREAS ALSO BEYOND THE SCOPE OF THIS REPORT. IT IS THE OPINION OF MAXWELL ENVIRO TECH INC., THE RESTORATION OF THE FACILITY TO LIVEABLE SPACE IS NOT ECONOMICALLY FEASIBLE. I'M GOING TO REPEAT THAT. IT IS THE OPINION OF MAXWELL ENVIRO TECH TECHNIQUE THAT THE RESTORATION OF THE FACILITY TO LIVEABLE SPACE IS NOT ECONOMICALLY FEASIBLE. SUPPORTING THAT UNDER TAB 5 ARE THE LAB RESULTS AND THEN WE GO TO TAB 6, WHICH IS A BID FROM CG AND S DESIGN BUILD. WHAT'S IMPORTANT TO NOTE IN THIS BID IS THIS BID IS NOT TO RESTORE THE HOUSE TO ITS

ORIGINAL CONDITION, WHICH AS YOUR STAFF SAID WAS A REQUIREMENT FOR A PRESERVATION PLAN TO BRING IT BACK TO THAT CONDITION. THIS PROPOSAL IS JUST TO BRING THIS PROPERTY TO CODE. AND THE BOTTOM LINE NUMBER IS \$1,023,279.89. TO BRING THIS PROPERTY TO THE STATE NECESSARY TO BRING IT TO THE PHOTOS THAT YOU WILL BE SEEING FROM THE NEIGHBORHOOD ASSOCIATION, THE COST WOULD BE PROHIBITIVE. AND MS. NOHRA DOES NOT HAVE THAT MONEY. IN FACT, THE PRESENTATION THAT YOU WILL BE SEEING FROM THE NEIGHBORHOOD ASSOCIATION WILL BE IMPRESSIVE, I'M SURE. THEY HAVE TIME AND RESOURCES THAT MS. NOHRA DOES NOT HAVE. SHE'S USED HER MONEY TO DO THE REPORTS THAT YOU'VE GOT IN FRONT OF YOU, WHICH ARE MINIMAL. [BUZZER SOUNDS] DO I STILL HAVE A LITTLE MORE TIME OR IS THAT IT?

Mayor Wynn: THAT'S YOUR TIME. IF YOU CAN TAKE A MINUTE AND CONCLUDE.

OKAY. IF YOU ZONE THIS PROPERTY HISTORIC, YOU HAVE CONDEMNED MS. NOHRA TO LIVE IN THIS HOME IN ITS CURRENT CONDITION. SHE DOES NOT HAVE THE RESOURCES TO REPAIR OR REHAB THE PROPERTY. HER ENTIRE NET WORTH IS IN THIS HOME. ANY TYPE OF REDEVELOPMENT THAT'S DONE ON THIS PROPERTY IS GOING TO BE SENSITIVE. IT'S GOING TO REQUIRE SOME STAFF INPUT AND APPROVAL. THE OWNERS OF THE PROPERTY HAVE MET WITH THE ARCHITECTURAL PEOPLE, WITH THE NEIGHBORHOOD ASSOCIATION. THEY DON'T IN AND OF ITSELF HAVE A PROBLEM WITH WHAT IS GOING TO BE PUT THERE IF IT'S REDEVELOPED. THEIR PROBLEM IS JUST WITH TAKING THE HOUSE DOWN. I'M ASKING THAT YOU TAKE THE INITIATIVE. THIS WOULD BE AN INJUSTICE TO THE FAMILY IF THIS WAS ZONED HISTORIC. AND I ASK THAT IT NOT BE ZONED HISTORIC AND THAT YOU FOLLOW THE LEAD OF YOUR STAFF. THANK YOU.

Mayor Wynn: THANK YOU. QUESTIONS FOR MR. NASSOUR, COUNCIL? THANK YOU. LET'S SEE. OUR NEXT SPEAKER WAS DONALD I DON'T KNOW IF I ZAPONE. WELCOME. YOU WILL HAVE THREE MINUTES. YOU WILL BE FOLLOWED BY SYLVIA DEADBY.

THANK YOU, MAYOR AND COUNCILMEMBERS. I APPRECIATE THE OPPORTUNITY TO SPEAK BEFORE YOU. I'VE LIVED IN AUSTIN FOR THE PAST 40 YEARS AND HAVE BEEN A HOMEOWNER HERE FOR 35 YEARS. AND MY HOME IS LOCATED IN AN HISTORIC DISTRICT. I'VE ALSO BEEN THE PAST PRESIDENT OF A NEIGHBORHOOD ASSOCIATION. IN COMING OVER HERE THIS AFTERNOON, THIS IS PROBABLY MAYBE ABOUT THE EIGHTH TIME I'VE APPEARED BEFORE THE COUNCIL IN THOSE 40 YEARS AND I JUST MENTION THAT BECAUSE I DON'T COME HERE LIGHTLY TO YOU. THE ISSUES THAT COME BEFORE YOU ARE IMPORTANT TO ME AND IMPORTANT TO THIS COMMUNITY OBVIOUSLY. SO I WANTED TO SHARE MY THOUGHTS ABOUT THIS PARTICULAR SITUATION. I FAIL TO UNDERSTAND THE ARGUMENT TO ZONE THIS HOME AS HISTORIC AGAINST THE HOMEOWNER'S WISHES AND AGAINST THE STAFF'S RECOMMENDATIONS. TO ME THIS SHOULD HAVE BEEN AN OPEN AND SHUT CASE. THIS HOME DOESN'T EVEN QUALIFY OR MEET THE CRITERIA FOR A LANDMARK HISTORIC DESIGNATION. YOU'VE HEARD THAT FROM MR. SADOWSKY. I THINK AGAIN IF THE COUNCIL WERE TO SUPPORT THIS CHANGE, I BELIEVE IT DOES SET A VERY DANGEROUS

PRECEDENT. AND AGAIN, I DON'T USE THOSE WORDS LIGHTLY EITHER. IT IS A VERY DANGEROUS PRECEDENT TO GO AGAINST THE HOMEOWNER'S WISHES, PARTICULARLY AGAINST THE STAFF RECOMMENDATIONS AND AGAIN NO OVERWHELMING PUBLIC HEALTH, SAFETY VALUE IN GOING AGAINST THE STAFF RECOMMENDATION. SO I JUST ASK YOU TO CAREFULLY CONSIDER THE VOTE THAT YOU'RE ABOUT TO TAKE IN REGARD TO THIS ISSUE. THANK YOU.

SYLVIA (INDISCERNIBLE). SORRY IF I MISPRONOUNCED THAT.

WHILE YOU APPROACH THE PODIUM, IS RUTH PARCEL HERE? WELCOME. HOW ABOUT JOHN DUDNEY. OUR RULES ARE YOU NEED TO BE PRESENT IN ORDER TO DONATE TIME TO A SPEAKER. AND HOW ABOUT SUZANNE MATTHEWS? SO SYLVIA YOU HAVE UP TO 12 MINUTES IF YOU NEED IT. WELCOME.

MY NAME IS SYLVIA DUDNEY. I AM THE DAUGHTER OF ELLA NOHRA, PROPERTY OWNER. AND ALTHOUGH I SOMETIMES FEEL THAT THIS PROPERTY NOW BELONGS TO THE HYDE PARK NEIGHBORHOOD ASSOCIATION, GIVEN WHAT I HAVE HAD TO ENDURE OVER THE PAST YEAR OR SO, NO PRIVATE CITIZEN OF THIS CITY SHOULD HAVE TO GO THROUGH THIS PROCESS, BUT THAT'S FOR ANOTHER TIME. I'M HERE TO TELL YOU THAT WE STRONGLY OPPOSE YOUR EFFORTS TO ZONE THIS PROPERTY HISTORICAL. TO DO SO WOULD PUT A VERY HEAVY FINANCIAL BURDEN ON THIS FAMILY AND WOULD TAKE AWAY I'M SORRY MY MOTHER'S RIGHTS TO BENEFIT FROM A PROPERTY SHE HAS OWNED FOR OVER 65 YEARS. FROM THE VERY BEGINNING OF THIS PROCESS, YOUR CITY STAFF HAS BEEN OPPOSED TO THE EFFORTS OF THIS NEIGHBORHOOD SINCE THIS HOUSE DOES NOT MEET THE CRITERIA FOR HISTORICAL DESIGNATION. THIS HOUSE HAS BEEN ALTERED SO MANY TIMES OVER THE YEARS THAT WHAT WAS ONCE A HOUSE OF EIGHT ROOMS, ONE AND A HALF BATHS IS NOW A HOUSE OF 18 ROOMS, EIGHT AND A HALF BATHROOMS. THE NATIONAL REGISTER OF HISTORIC PLACES AS YOU KNOW LISTS 4213 AVENUE G AS A NON CONTRIBUTING STRUCTURE WITH AN ASTERISK DENOTING NON CONTRIBUTING RESOURCES BECAUSE OF COMPROMISED HISTORICAL INTEGRITY. RECLASSIFICATION TO CONTRIBUTING STATUS MAY BE CONSIDERED IF ALTERATIONS ARE REVERSED. AND I MIGHT ADD, AT A COST THAT FAR EXCEEDS THE VALUE OF THIS PROPERTY. WHERE IS THE ECONOMIC SENSE TO THAT AND WHERE WILL THE MONEY COME FROM? THIS HOUSE IS NOTHING MORE THAN AN OLD HOUSE THAT A ONCE PROMINENT LOCAL BUSINESSMAN LIVED IN FOR A FEW YEARS. HOW MUCH OF AUSTIN'S OLD HOUSING STOCK COULD BE SIMILARLY DESCRIBED AND THUS THREATENED WITH FORCED HISTORICAL ZONING DESIGNATION? ARTICLE 1 SECTION 17 OF THE TEXAS CONSTITUTION READS, NO PERSON'S PROPERTY SHALL BE TAKEN, DAMAGED OR DESTROYED OR APPLIED TO PUBLIC USE WITHOUT ADEQUATE COMPENSATION BEING MADE. IN SPITE OF THE CURRENT SF 6 ZONING, MY MOTHER WOULD BE EFFECTIVELY DENIED THE ECONOMIC USE OF THIS PROPERTY. NO ONE TOLD HER 27 YEARS AGO WHEN SHE VOLUNTARILY DOWNZONED FROM MULTI FAMILY THAT SHE WOULD ONE DAY LOSE THIS ZONING. THE FIFTH AMENDMENT TO THE CONSTITUTION GUARANTEES PROPERTY RIGHTS. IN ITS MOST COMPLETE FORM, OWNERSHIP OF PROPERTY GRANTS THE OWNER

CONTROL AS LONG AS USE DOES NOT INFRINGE ON THE RIGHTS OF OTHERS. PROPERTY RIGHTS ALLOW THE OWNER TO DETERMINE THE USES OF THE ASSET AND TO DERIVE VALUE FROM THE ASSET AND TO BE EFFECTIVE, PROPERTY RIGHTS MUST BE ENFORCED. I SINCERELY HOPE THAT YOU CAN REACH DEEP DOWN WITHIN YOURSELVES AND DO THE RIGHT THING. PLEASE ALSO CONSIDER THAT YOU MAY BE SETTING A VERY DANGEROUS PRECEDENT WITH FORCED ZONING. THERE IS THE WHOLE QUESTIONABLE ISSUE OF FORCING A ZONING CHANGE WHICH HAS NO EFFECT ON THE HEALTH, SAFETY OR GENERAL WELFARE OF THIS NEIGHBORHOOD OR CITY. YOU HAVE TO ASK YOURSELVES WHAT POSSIBLE BENEFIT DOES THE CITY OF AUSTIN DERIVE FROM ZONING THIS PROPERTY HISTORICAL. PERSONALLY I SEE A LOSS OF TAX REVENUE. WITH THE HYDE PARK NEIGHBORHOOD ASSOCIATION WHAT THE HYDE PARK NEIGHBORHOOD ASSOCIATION SEES IN THEIR OWN WORDS AND I'M QUOTING, RESTORED THIS HOUSE WOULD SHOW THE CITY OF AUSTIN WHAT HYDE PARK IS ALL ABOUT AND NEIGHBORS COULD WALK PAST THIS HOUSE AND ADMIRE ITS GRAND STYLE. WHERE IS THE MONEY GOING TO COME FROM TO RESTORE THIS HOUSE AND AT WHAT COST TO MY MOTHER? ANNE RANN WROTE, THE RIGHT TO LIFE IS THE SOURCE OF ALL RIGHTS AND THE RIGHT TO PROPERTY IS THE ONLY IMPLEMENTATION. WITHOUT PROPERTY RIGHTS, NO OTHER RIGHTS ARE POSSIBLE. SINCE MAN HAS TO SUSTAIN HIS LIFE BY HIS OWN EFFORT, THE MAN WHO HAS NO RIGHT TO THE PRODUCT OF HIS EFFORT HAS NO MEANS TO SUSTAIN HIS LIFE. THE MAN WHO PRODUCES WHILE OTHERS DISPOSE OF HIS PRODUCT IS A SLAVE. THANK YOU FOR YOUR TIME.

Mayor Wynn: THANK YOU. QUESTIONS FOR SYLVIA, COUNCIL? THANK YOU, MA'AM. OUR NEXT SPEAKER IS CHARLIE NOHRA. WELCOME. YOU TOO WILL HAVE THREE MINUTES. YOU'RE THE FINAL SPEAKER WHO SIGNED UP IN OPPOSITION TO THE ZONING CASE. THERE'S NOTHING TO WAIT FOR.

WAIVE.

Mayor Wynn: EXCUSE ME. WE WILL NOTE YOUR OPPOSITION FOR THE RECORD, HOWEVER, AS A NUMBER OF FOLKS WHO HAVE SIGNED UP NOT WISHING TO SPEAK. THANK YOU, SIR. SORRY FOR THE CONFUSION. SO COUNCIL, THAT'S ALL THE FOLKS WE HAVE SIGNED UP WHO WISH TO SPEAK IN OPPOSITION. WE DO HAVE SOME FOLKS WHO DON'T WANT TO SPEAK IN OPPOSITION. WE'LL NOTE THAT FOR THE RECORD. SO NOW WE'LL HEAR FROM FOLKS IN SUPPORT OF THE ZONING CASE AND WE'LL TAKE THESE IN THE SEQUENCE THEY SIGNED UP UNLESS FOLKS WANT TO CHANGE THAT ORDER. OUR FIRST SIGNED UP SPEAKER IS JOHN PAUL MOORE. JOHN PAUL SIGNED UP WISHING TO SPEAK IN FAVOR.

[INAUDIBLE NO MIC].

Mayor Wynn: I NEED TO SEE THAT IF SOMEBODY IS SUGGESTING ONE.

I WOULD LIKE TO SPEAK FIRST, IF YOU DON'T MIND.

Mayor Wynn: HANG ON. SO IF SOMEBODY HAS WANTS TO TRY TO TRUMP OUR COUNCIL RULES WITH WHAT YOU WANT TO DO, I SUGGEST YOU BRING ME A PIECE OF PAPER AND I WOULD GLADLY GRANT THAT REQUEST AND HAVE FOLKS SPEAK OUT OF SEQUENCE.

IF I COULD FINISH, PLEASE.

Mayor Wynn: WE HAVE ORDINANCE RULES AS TO HOW WE CONDUCT PUBLIC HEARINGS. ONE OF WHICH IS I NEED TO CONFIRM BY LAW WHETHER FOLKS ARE IN THIS CHAMBER FOR THEM TO DONATE TIME TO YOU. IF YOU WANT TO HAVE MORE THAN THREE MINUTE. IS PAM WITTINGTON HERE? HELLO. WELCOME. HOW ABOUT VICTORIA GOODMAN? WELCOME, VICTORIA. LORI (INDISCERNIBLE). SO MR. BURTON, YOU WILL HAVE UP TO 12 MINUTES IF YOU NEED IT. AND UNLESS SOMEBODY REQUESTS OTHERWISE, YOU WILL BE FOLLOWED BY JOHN PAUL MOORE. WELCOME.

I WILL BE HAPPY TO NOT SPEAK FIRST IF YOU WOULD IF THAT WOULD BE

Mayor Wynn: YOU'RE WELCOME TO SPEAK FIRST AS I THINK THE OTHER SIDE SPOKE OUT OF SEQUENCE, BUT I THINK IT'S OUT OF ORDER FOR FOLKS JUST TO WALK UP AND START SPEAKING OTHER THAN WITHOUT ME OR THE CITY CLERK OR SOMEBODY BEING ABLE TO TRACK AND CONFIRM, YOU KNOW, WHO HAS TIME AND WHO DOESN'T HAVE TIME PER CITY LAW.

I DIDN'T REALIZE THAT.

Mayor Wynn: THANK YOU. WELCOME.

MAYOR AND MEMBERS OF THE COUNCIL. TO SAVE TIME WE'VE REDUCED THE NUMBER OF PEOPLE FROM THE NEIGHBORHOOD WHO WERE GOING TO SPEAK ON THIS ISSUE TO TRY AND SAVE TIME. WE'RE HERE TODAY FROM OUR STANDPOINT TO ASK YOU TO IMPLEMENT ACTION THAT'S ALREADY BEEN APPROVED BY BOTH THE HISTORIC LANDMARK COMMISSION AND BY THE PLANNING COMMISSION. THE HISTORIC LANDMARK COMMISSION UNANIMOUSLY VOTED TO APPROVE HISTORIC ZONING FOR THIS HOUSE AFTER THEY CONSIDERED THE CRITERIA. THE PLANNING COMMISSION VOTED 7:00 1 TO A 7 1 TO APPROVE HISTORIC ZONING AFTER THEY ARRESTED THE CRITERIA. AFTER THEY CONSIDERED THE CRITERIA. COMMISSIONER EWING SAID I THINK THIS IS ONE OF THOSE CASES WHERE I DON'T SEE ANY CITE ONBEING A CRITERION BEING A STRETCH. SO I WILL BE SUPPORTING THE MOTION. THE NEIGHBORS WILL SPEAK TO MOST OF THE ISSUES ABOUT WHY THE NOHRA HOUSE DOES SATISFY THE CRITERIA, BUT I WANT TO RESPOND TO A COUPLE OF THINGS THAT WERE SAID. ONE WITH RESPECT TO THE INTEGRITY OF MATERIALS. WE'LL HAVE SOMEONE SPEAK A LITTLE BIT MORE TO THAT, BUT I WANT TO COMMENT THAT THE RENOWNED ARCHITECTURAL ARCHITECT THE RENOWNED ARCHITECT EUGENE GEORGE REVIEWED THE HOUSE ON THE OUTSIDE AFTER HEARING MR. SADOWSKY'S COMMENTS EARLIER AFTER THE PLANNING COMMISSION. AND HE

COMMENTED THIS AND GAVE A WRITTEN REPORT WHICH HAS PREVIOUSLY BEEN PROVIDED TO YOU. THAT THE OVERALL DESIGN OF THIS HOUSE REMAINS INTACT AND REMAINS AND RETAINS MOST OF ITS ORIGINAL HISTORIC FORM, INCLUDING FULL HEIGHT COLUMNS AND FRONT PORCH, A HIP ROOF, SYMMETRICAL WINDOWS ADJACENT TO THE CENTER DOOR, ORIGINAL WINDOW CASINGS AND THE SOUTH PORCHES AND THE ORIGINAL COLUMNS OF THOSE PORCHES SURVIVE. VISUAL EVIDENCE INDICATES THAT THE WOOD SIDING OF THE ORIGINAL STRUCTURE WAS SHEATHED IN WHAT I BELIEVE WAS LIME BASED PLASTER. WHAT THE ARCHITECTS THAT HAVE LOOKED AT THE HOUSE SAY IS THAT THIS HOUSE WAS WRAPPED IN THE 50'S WHEN IT WAS IN VOGUE TO PUT PLASTER ON THE HOUSE. WE KNOW THAT IT HAS METAL LATHING. AND FROM THE PHOTOGRAPHS, THE LATHING WAS PUT ON AND CAN BE REMOVED. AS TO THE FACT THAT IT'S NOT THE SAME AS IT WAS ORIGINALLY WHEN IT WAS CONSTRUCTED, LAWRENCE SPEC WENT BY, THE FORMER DEAN OF THE SCHOOL OF ARCHITECTURE OF UNIVERSITY OF TEXAS AND SAID THIS, PRESERVING BUILDINGS THAT HAVE BEEN ALTERED THROUGH THE YEARS IS INCREDIBLY IMPORTANT. THERE ARE FEW BUILDINGS THAT SURVIVE FOR MANY DECADES WITHOUT SOME CHANGES. WE CANNOT AFFORD TO SACRIFICE ALL THE REST OF OUR ARCHITECTURAL HERITAGE JUST BECAUSE OF POOR JUDGMENT. MANY OF THE IMPORTANT BUILDINGS ON CONGRESS AVENUE AND ON EAST SIXTH STREET THAT WE ENJOY SO MUCH TODAY WERE ONCE COVERED IN AN INAPPROPRIATE VENEER. THANKNESS THEY WERE SAVED IN SPITE OF THAT VENEER. THIS HOUSE, THE BRADFORD NOHRA HOUSE HAS VERY MINOR ALTERATIONS AS COMPARED TO THOSE EXAMPLES. AND I'D LIKE TO JUST RESPOND TO MR. SADOWSKY WITH RESPECT TO HAVING A RESTORATION PLAN IN PLACE. THAT IS NOT AN ELEMENT OF THE CRITERIA IN THE LAND DEVELOPMENT CODE FOR HISTORIC DESIGNATION. AND WE HAVE A SITUATION HERE WHERE AN OWNER DOES NOT WANT TO RESTORE THE HOUSE AND WILL DEVELOP NO PLAN, AND SO IF THAT'S THE RULE, AN OWNER CAN DETERMINE WHETHER AN HISTORIC HOUSE IS SAVED OR IS DESTROYED. I'VE NEVER UNDERSTOOD THAT PARTICULAR PART OF THE DISCUSSION THAT'S HAPPENED WITH RESPECT TO THIS HOUSE. LET ME GO TO WHAT I WANTED THE IMPORTANT THING ABOUT WHAT I WANTED TO TALK ABOUT. OUR OBJECTIVE FROM THE VERY BEGINNING WITH RESPECT TO SAVING THIS HOUSE IN THE NEIGHBORHOOD BECAUSE OF THE IMPORTANT LOCATION THAT IT HAS AND BECAUSE OF THE SIGNIFICANCE OF THE HOUSE ARCHITECTURALLY HAVE BEEN IN ADDITION TO SAVING IT, WE'RE WILLING TO WORK WITH THE OWNER TO DEVELOP AN ALTERNATIVE PLAN THAT WAS REALISTIC SO THE HOUSE COULD BE SAVED AND SHE COULD REALIZE VALUE FROM THE PROPERTY. AND FORTUNATELY THROUGH THE EFFORTS OF COUNCILMEMBER SHADE WE HAD A VENUE FOR DOING THAT WHERE WE COULD TALK ABOUT IT WITH THE OWNER. I WANT TO SAY THAT SYLVIA IS A VALUED NEIGHBOR AND OUT OF THIS PROCESS WE'VE GROWN TO RESPECT HER EVEN MORE AND WE LOOK FORWARD TO WORKING WITH HER IF WE HAD THE OPPORTUNITY TO DO SO. OUT OF THIS PROCESS ONE OF THE THINGS THAT IS SO IMPORTANT THAT HAPPENED IS THAT AS WE TRIED TO GET CREATIVE ABOUT THIS, KNOWING THAT THEY DID NOT WANT TO RESTORE THE HOUSE AND DIDN'T WANT TO SPEND THE MONEY, WE WORKED ON HOW DO WE COME UP WITH A PLAN THAT WOULD NOT REQUIRE THEM TO PAY ANY MONEY AND BE ABLE TO REALIZE VALUE.

FORTUNATELY THIS LOT IS SO LARGE, IT'S 125 FEET BY 130, ONE OF THE LARGEST IN HYDE PARK. EMILY LITTLE WAS ASKED BY COUNCILMEMBER SHADE TO JOIN THE MEDIATION GROUP AND WE HAD HAD NO CONTACT WITH HER BEFORE. AND SHE CAME UP WITH AN AMAZING ALTERNATIVE, AND HER ALTERNATIVE WAS TO TAKE THE EASTERN 50 FEET BEHIND THE HOUSE AND TO ALLOW IT TO NOT BE ZONED IF THE OWNER WOULD GO ALONG WITH THIS PLAN, NOT TO BE ZONED HISTORIC. IT WOULD BE A LEGAL LOT BECAUSE IT WOULD BE SUFFICIENTLY LARGE TO MEET THE LOT REQUIREMENTS. AND THEY COULD DEVELOP UP TO 2600 SQUARE FEET ON THAT PART OF THE PROPERTY. SO WE WOULD HAVE A WIN ALL AROUND. THE HOUSE COULD BE SAVED. IT COULD BE SOLD TO A THIRD PARTY. THE PRESENT OWNER COULD DEVELOP THE BACK 50 FEET WITH 2600 SQUARE FEET OF NEW STRUCTURES AND COULD REALIZE INCOME FROM BOTH THE SALE OF THE HOUSE, WHICH IS WE THINK FROM TALKING WITH REALTORS THAT IT'S VERY VALUABLE, THERE'S NO DEBT ON THE PROPERTY ACCORDING TO OUR MEETINGS WITH JIMMY NASSOUR. AND AS A RESULT THEY COULD FIRST SELL THAT AND THEN THEY COULD DEVELOP WHENEVER THEY WANT TO THE BACK PART TO REALIZE THE VALUE. AND AMAZINGLY, THE VALUES THAT WE CAME UP WITH BASED ON THE NUMBER THAT THEY WERE PLANNING, IF THEY DO DUPLEXES, ARE SUBSTANTIALLY SIMILAR OR CLOSE, DEPENDING ON WHATEVER ASSUMPTIONS YOU'RE USING. THEY'RE VERY, VERY SIMILAR. SO THIS IS A SITUATION WHERE THE OWNER DOESN'T HAVE TO PAY ANY MONEY TO DEVELOP THE TO RESTORE THE HOUSE AND CAN REALIZE THE SAME VALUE AS IF SHE COULD SELL IT AS SHE COULD DESTROY IT AND DEMOLISH THE HOUSE AND BUILD TWO DUPLEXES. WE CAN SAVE THE HOUSE AND LET HER BUILD TWO THINGS ON THE BACK UNDER THIS PLAN AND SHE GETS SUBSTANTIALLY THE SAME VALUE. SO THAT IS WHAT WE'VE DONE TO TRY TO SATISFY THIS ISSUE ABOUT THE OWNER. WE'VE KNOWN FROM DAY ONE THAT THE OWNER THAT ISSUE HAD TO BE ADDRESSED. AND THAT'S WHAT WE'VE SPENT OUR TIME DOING. AND I WANT TO REPRESENT TO YOU TODAY THAT IF THIS IS IF THIS ZONING IS APPROVED, WE DON'T SEE THIS AS THE LAST DAY THAT WE'LL DEAL WITH IT. WE WILL WORK WITH THEM AND WE'RE COMMITTED TO THAT PLAN OR A CONCEPT VERY SIMILAR TO THAT. THAT WE WILL WORK WITH THEM AND WE WILL HELP THEM GET VARIANCES OR WHATEVER THEY NEED TO BE ABLE TO DEVELOP THAT BACK 50 FEET. SO THAT'S WHAT WE HAVE DONE TO TRY TO RESOLVE THE ISSUES AND THE COMPLAINTS THAT THEY HAVE HAD. SO WE THINK THOSE ARE VERY VALID ISSUES THAT THEY RAISE AND THAT'S WHY WE'VE TRIED TO ADDRESS THEM. SO THAT'S ALL I HAVE TO SAY.

Mayor Wynn: THANK YOU. QUESTIONS FOR MR. BURTON, COUNCIL? MAYOR PRO TEM.

McCracken: THIS HOUSE FRONTS ON TO AVENUE G?

YES. THIS IS THE HOUSE THAT FRONTS ON AVENUE G. AND I'LL JUST MENTION YOU SEE THE PORCH ON THIS IS THE SOUTHSIDE WHERE THE PORCH IS. THAT WAS CLOSED IN AND WRAPPED IN PLASTER. YOU CAN STILL SEE THE COLUMNS IN THE PLASTER. AND THEN THE UPSTAIRS WAS CLOSED IN AS WELL. SO WHAT A RESTORATION EFFORT WOULD BE WOULD BE TO TAKE OFF ALL OF THAT PLASTER AND YOU WOULD HAVE THIS PARTICULAR PORCH

THAT EXISTS THERE. RIGHT NOW THAT DOESN'T LOOK ATTRACTIVE BECAUSE IT WAS ALL SEALED UP AND DONE IN A VENEER THAT IS VERY UNATTRACTIVE. BUT THIS HOUSE IS THE PHOTOGRAPH SHOWS HOW ATTRACTIVE THE HOUSE WAS. AND INSOFAR AS ECONOMIC VIABILITY AND HOW MUCH IT WOULD COST, HOMES IN HYDE PARK THAT WERE 10 TIMES WORSE SHAPE THAN THIS ONE IS HAVE BEEN RESTORED AND PEOPLE HAVE PUT HUGE AMOUNTS OF MONEY INTO RESTORING HISTORIC HOUSES IN HYDE PARK AND WE BELIEVE THEY WILL CONTINUE TO DO SO. AND THIS IS ONE OF THE MOST IMPORTANT AND VALUABLE CORNERS IN HYDE PARK. AND I'M CONVINCED THAT SOMEONE WILL RESTORE THIS HOUSE IF THEY'RE WILLING TO SELL IT. I APOLOGIZE, MAYOR, FOR WALKING UP.

Mayor Wynn: I HAVE A LIST NOW. THAT WILL SATISFY THIS REQUIREMENT. SO AGAIN, FURTHER QUESTIONS FOR MR. BURTON? IF NOT, THEN OUR NEXT SPEAKER WILL BE MARY GEORGE. WELCOME, MARY. A COUPLE OF FOLKS WANTED TO DONATE TIME TO YOU, MS. GEORGE. IS EUGENE HERE?

SALLY AND EUGENE BOTH DONATED TIME FOR ME.

Mayor Wynn: ARE THEY HERE?

YEAH, THEY'RE BOTH HERE.

Mayor Wynn: I NEED TO CONFIRM THAT IN ORDER TO SATISFY THE REQUIREMENTS OF OUR ORDINANCE. SO MARY, YOU WILL HAVE NINE MINUTES IF YOU NEED IT. WELCOME.

I'M NOT GOING TO TAKE NINE MINUTES.

Mayor Wynn: YOU WILL BE FOLLOW BID LEE WALKER. WELCOME.

THANK YOU ALL FOR YOUR DEDICATION TO THE BEST INTEREST OF AUSTIN AND THANK SALLY AND GENE FOR THEIR TIME DEDICATION. IT IS A PRIVILEGE TO BE HERE AND TO HAVE BEEN INVOLVED WITH OUR NEIGHBORHOOD TEAM WHO HAS DEVOTED MONTHS OF RESEARCH IN SUPPORT OF HISTORIC ZONING FOR THE BRADFORD NOHRA HOUSE ON THE CORNER OF AVENUE G AND 43rd STREET IN THE HEART OF HYDE PARK. I'M MARY CAROLYN GEORGE, AN ARCHITECTURAL HISTORIAN WITH FOUR PLUS PUBLICATIONS TO MY CREDIT. THIS IS THE MOST RECENT. IT'S ABOUT RESTORING HOPELESS HISTORIC HOUSES TO LANDMARK STATUS. MY HUSBAND HAS CONTRIBUTED MUCH TO OUR EFFORTS. SUFFICE IT TO SAY THAT HE RECEIVED A LIFETIME ACHIEVEMENT AWARD FROM THE HERITAGE SOCIETY OF AUSTIN, ONLY THE SECOND TO SO RECEIVE SUCH ACKNOWLEDGMENT. WE HAVE LIVED DOWN THE HILL ON AVENUE G SINCE 1980. MY TIES TO HYDE PARK GO BACK TO 1906 WHEN MY MOTHER LIVED ON THE CORNER OF AVENUE F AND 43rd STREET. SHE REMEMBERED THAT THE STREET CAR FROM TOWN TO HYDE PARK WENT THROUGH FIELDS OF CORN. AND MY HUSBAND REMEMBERS BEFORE BEFORE HE ENTERED WORLD WAR II BEING BIRD WATCHING WALKS THROUGH HYDE PARK AND THAT 45TH STREET WAS THE

CITY LIMITS. AND BEYOND THAT IT WAS COUNTRY. WE ARE HERE TONIGHT TO DOCUMENT WHY THE BRADFORD NOHRA HOUSE IS A TEXTBOOK EXAMPLE OF THE CITY OF AUSTIN'S HISTORIC LANDMARK DESIGNATION CRITERIA AND MAINTAINS ITS HISTORIC FEATURES TO A REMARKABLE DEGREE. FAMILY PHOTOGRAPHS FROM THE LATE 1930'S FROM THE LATE 1930'S SHOW THE HOUSE AS TYPICAL OF THE NEO CLASSICAL STYLE. ALL THE ARCHITECTURAL MINDS WHO HAVE STUDIED THE HOUSE SHARE THE OPINION THAT THE FIRST HOUSE ON THE SITE, CIRCA 1908, WAS BUILT AS A SPECULATIVE VENTURE AS MR. SADOWSKY MENTIONED, THE SECOND OWNER BEING GEORGE CHRISTIAN. THE HIPPED ROOF WITH DORMERS, WHICH WAS PART OF THE ORIGINAL SCHEME, WAS EASILY CONVERTED INTO THE NEO CLASSICAL STYLE. IT MAY BE SURMISED THAT THE HOUSE WAS TRANSFORMED INTO THE THEN FASHIONABLE NEO CLASSICAL STYLE WHEN IT WAS ACQUIRED BY THE BRADFORD FAMILY, WHO WERE CIVIC AND CULTURAL LEADERS ABOUT 1912. THE NEO CLASSICAL STYLE WAS ALL THE RAGE NATIONALLY AND HAD REACHED TEXAS CIRCA 1910. TO REVIEW THE CRITERION FOR HISTORIC ZONING, CRITERION ABI UNDER AUSTIN CITY CODE SECTION 25 2 352, EMBODIES THE DISTINGUISHING CHARACTERISTICS OF A RECOGNIZED ARCHITECTURAL STYLE. THIS IS A TEXTBOOK EXAMPLE OF THE NEO CLASSICAL STYLE AND THE SOLE SURVIVING EXAMPLE IN THE HYDE PARK NATIONAL REGISTERED DISTRICT. FEATURES ARE COLONNATED PORCH, FULL EIGHT AND WIDTH, SYMMETRICAL BALANCED WINDOWS WITH CENTERED DOOR. THE SYMMETRY WOULD BE RESTORED BY REOPENING THE SOUTH FACING PORCH, WHICH WAS ENCLOSED AFTER 1950. CRITERION A 2, SUFFICIENT INTEGRITY OF MATERIALS AND DESIGN TO RETAIN ITS HISTORIC APPEARANCE. THE EXTERNAL CONDITION IS REMARKABLY INTACT. IT IS ALL THERE. THE COLUMN EIGHTED FACADE RETAINS ITS HISTORIC FORM. PORTIONS WERE NOT ALTERED OR IN THE WINDOWS WERE INSTALLED, THE ORIGINAL MOLDING AROUND THE WINDOWS SURVIVES. PHOTOGRAPHS CIRCA 1940 SHOW THE SOUTH FACING PORCHES WITH TUSCAN COLUMNS ABOVE AND THE OPEN PORCH AT GROUND LEVEL. THESE PORCHES REMAIN AND HAVE SIMPLY BEEN ENCLOSED. YOU CAN SEE THE COLUMNS AT THE GROUND LEVEL SOUTH PORCH. THERE ARE EXCELLENT RESTORATION OPPORTUNITIES. VERY FEW LANDMARK HOUSES RETAIN ESPECIALLY 100 YEAR OLD ONES, ANYWHERE RETAIN ALL THE HISTORIC FEATURES PRIOR TO RESTORATION. THIS HOUSE IS, COMPARED TO MANY WE HAVE SEEN, RESTORED TO MAGNIFICENT LANDMARK FORM, IS IN REMARKABLE CONDITION. THE PROPERTY INSPECTION REPORT MENTIONED BY THE OWNERS STATES THAT THE 100 YEAR OLD PLUS HOUSE, THE FOUNDATION OF THE 100 YEAR OLD PLUS HOUSE IS SUPPORTING THE HOUSE WITHOUT UNUSUAL AND EXCESSIVE DEFLECTIONS, WHICH IS FAIRLY AMAZING IN ITSELF. AND ANOTHER CRITERION MET, CRY TEAR YOUR AB IV, THE PROPERTY POSSESSES COMMUNITY VALUE BECAUSE IT HAS A LOCATION AND FISCAL CHARACTERISTICS THAT GREATLY CONTRIBUTE TO THE CHARACTER OR IMAGE OF THE NEIGHBORHOOD. AT THE CORNER OF 43rd STREET, HYDE PARK'S MAIN STREET, THE BRADFORD NOHRA HOUSE IS SITED ON HIGH GROUND FACING AVENUE G AS IT RUNS DOWN TO WALLER CREEK. IT IS RELEVANT THAT THE GROUNDS OF THE ELIZABETH NEY MUSEUM, ONE BLOCK NORTH OF THE CREEK TO THE BRADFORD NOHRA HOUSE, HAS BEEN DESIGNATED A STATE ARCHAEOLOGICAL SITE FOR ITS

POTENTIAL. IT IS OUR FERVENT HOPE THAT FOR THE NEXT 100 YEARS THE BRADFORD NOHRA HOUSE WILL CONTINUE TO BE A SERVICEABLE STRUCTURE. A LARGE, WELL SCALED HOUSE WITH MULTIPLE OPTIONS, INCLUDING LANDSCAPE DEVELOPMENT, IN A TRANQUIL, PEDESTRIAN FRIENDLY NEIGHBORHOOD. WHAT BETTER WAY TO HONOR THE BRADFORD FAMILY FOR THEIR ARTS ADVOCACY AND MRS. NOHRA, WHO WAS IN THE VANGUARD OF BUSINESS WOMEN IN AUSTIN. AND JUST TO ADD ONE LAST THING, THERE'S A HOUSE OF SIMILAR VINTAGE IN THE KING WILLIAM HISTORIC DISTRICT THAT WAS SHROUDED IN LIME BASED PLASTER, WHICH WAS RECENTLY REMOVED AND THE RESTORATION ARCHITECT TELLS ME THAT THE WOOD SIDING HAS SURVIVED IN A PRISTINE CONDITION. ALL HE NEEDED TO DO WAS JUST SAND IT A LITTLE BIT. THANK YOU FOR YOUR CONSIDERATION.

Mayor Wynn: THANK YOU. LEE WALKER, I SEE LEE EARLIER. WELCOME MR. WALKER. YOU WILL HAVE THREE MINUTES TO BE FOLLOWED BY PETER MAXSON.

THANK YOU, MAYOR WYNN AND COUNCILMEMBERS. THANK YOU ALL FOR YOUR SERVICE. I'VE LIVED IN AUSTIN NOW 31 YEARS AND I BELIEVE THIS IS MY SECOND TIME HERE. SO I DON'T COME LIGHTLY EITHER. I BELIEVE THE OTHER TIME I CAME WAS IN CONNECTION WITH THE TRIANGLE PROJECT WHEN THE STATE WAS RATHER VEHEMENTLY OPPOSING A BUNCH OF INTERFERING NEIGHBORS WHO FELT THERE WAS A WIN WIN SOLUTION. AND I THINK IN FACT THE OUTCOME OF THAT LED TO A GREAT WIN WIN. I DON'T WANT TO REPEAT MUCH OF WHAT'S BEEN SAID. I KNOW TIME IS SCARCE, SO I'LL BE BRIEF. I LIVE IN A HOUSE THAT WAS BUILT IN 1908 AS WELL AND WAS SAVED. IT WAS IN A SEVERE STATE OF DISREPAIR. I WISH I HAD THE PHOTOS TO SHOW YOU JUST HOW THE LEVEL OF DISREPAIR THAT IT WAS IN. AND IT WAS SAVED JUST THROUGH COUNTLESS HOURS INVESTED IN ITS RESTORATION. THIS IS THE STORY OF MANY HOMES IN HYDE PARK, A COMMUNITY DEDICATED TO HISTORIC PRESERVATION. THE HOME AT 4213 AVENUE G IS IN A BOOK DOCUMENTING THE HISTORIC HOMES OF HYDE PARK. I'M NOT SURE THAT POINT HAS BEEN MADE. AND IT'S THE ONLY ONE OF ITS KIND STILL REMAINING IN HYDE PARK. I'LL SKIP OVER MUCH OF WHAT I HAVE HERE JUST BECAUSE IT WOULD BE REPETITIVE OF WHAT YOU ALREADY HEARD, AND SAY THAT THE RESEARCH MATERIALS PROVIDED BY THE HYDE PARK RESIDENTS PROVIDE AMPLE EVIDENCE OF THE REMARKABLE LANDMARK CHARACTERISTICS OF THIS HOME. I WHOLEHEARTEDLY SUPPORT ITS DESIGNATION AS AN HISTORIC LANDMARK AND HOPE THE CITY COUNCIL WILL FOLLOW THE HISTORIC LANDMARK COMMISSION'S AND PLANNING COMMISSION'S STRONG RECOMMENDATIONS FOR HISTORIC LANDMARK STATUS. I MIGHT ALSO SAY THAT I WOULDN'T BE HERE TODAY IF I WEREN'T CONVINCED, HAVING SPENT A CONSIDERABLE AMOUNT OF TIME AND COUNCILMEMBER SHADE, I WANT TO THANK YOU FOR CONVENING I'VE LOST TRACK OF THE NUMBER OF MEETINGS THAT YOU HAVE CONVENED. I MARVEL AT YOUR PATIENCE. AND IN THOSE NUMEROUS MEETINGS I'VE BECOME CONVINCED THAT THIS IS NOT AN ECONOMIC HARDSHIP. THAT THERE IS AN ECONOMIC WIN WIN. I THINK THAT THE NEIGHBORHOOD NEEDS THE FULCRUM OF YOUR APPROVAL OF THE STATUS IN ORDER TO PUT THE LEVER THAT WOULD ALLOW US TO CONTINUE TO WORK WITH THE OWNERS TO FIND THE DETAILS OF THAT WIN WIN. I WOULDN'T BE HERE TODAY IF I DIDN'T THINK THAT THERE WAS AN

ECONOMIC PARITY IF YOU WILL BY KEEPING AND PRESERVING THIS HOUSE. OTHERWISE IT WILL BE LEVELED. I'LL CLOSE BY SAYING WE HAVE THIS RATHER POIGNANT PLAQUE THAT'S AT THE [BUZZER SOUNDS] MY TIME IS UP, I GATHER. MAY I TAKE 50 MORE SECONDS?

Mayor Wynn: PLEASE DO. PLEASE CONCLUDE.

THERE'S A PLAQUE AT THE PARK WHERE WE PLAY AND SWIM. IT TALKS ABOUT THE EROSION OVER THE YEARS OF THE VARIOUS HISTORIC STRUCTURES. THIS IS THE LAST OF ITS KIND. AND I DO HOPE THAT YOU WILL FIND YOUR WAY TO APPROVE YOUR HISTORIC STATUS. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, MR. WALKER, FOR YOUR SERVICE. MAYOR PRO TEM?

McCracken: I DO APOLOGIZE. I WILL HAVE TO LEAVE AFTER WE GO TO OUR BREAK, BUT I WANT TO LET FOLKS KNOW MY EXPECTATION IS WE'LL ONLY VOTE ON FIRST READING THIS EVENING. I BASE BASED ON WHAT I'VE HEARD TODAY I'M BASED ON SECOND READING AND THIRD TO VOTE ON HISTORIC ZONING. I WANT FOLKS TO KNOW THAT. I CERTAINLY ENCOURAGE THE DISCUSSIONS AFTER FIRST READINGS BOTH TONIGHT AND I'M PREPARED TO VOTE FOR HISTORIC ZONING BASED ON WHAT I'VE HEARD. THANKS.

Mayor Wynn: THANK YOU, MAYOR PRO TEM. SO FOLKS, JUST TO TRY TO SET THE STAGE HERE. WE HAVE WE'VE HEARD FROM THE FOLKS HERE THAT ARE IN OPPOSITION TO THE ZONING CASE. ESSENTIALLY AN AGREEMENT WITH THE PRESENTATION, IF YOU WILL. WE NOW HEAR FROM FOLKS IN SUPPORT OF THE HISTORIC ZONING CASE. WE'RE THREE OUT OF OUT OF NINE OR 10 SPEAKERS. SO WE'RE A LITTLE LESS THAN HALFWAY THROUGH FOLKS WHO ARE SUPPORTIVE OF HISTORIC ZONING. IN LIEU OF THE TIME AND ALSO TO KEEP EVERYTHING STILL IN SEQUENCE, I WOULD PREFER AND SUGGEST THAT WE GO AHEAD AND INSERT OUR BREAK NOW SO WHEN WE COME BACK, STARTING WITH MR. MAX SON, WE WILL THEN HEAR FROM SIX MORE FOLKS IN SUPPORT OF THE ZONING CASE BEFORE WE THEN CONCLUDE AND HAVE SOME DIALOGUE. I THINK THAT WILL GIVE AS OPPOSED TO JUST HAVING ONE OR TWO SPEAKERS LEFT AFTER THE BREAK, I THINK THAT WILL GIVE IT MORE CONTINUITY TO THE REMAINING TESTIMONY HERE IN SUPPORT OF THE ZONING CASE. AND AS WE HEARD EARLIER, WE'RE GOING TO LOSE THE MAYOR PRO TEM TO A PREVIOUS COMMITMENT HERE DURING OUR BREAK. SO WE WILL WITHOUT OBJECTION, WE'LL NOW BREAK TO LIVE MUSIC AND PROCLAMATIONS. WHEN WE COME BACK PROBABLY SHORTLY AFTER 6:00 P.M. OR RIGHT AT 6:00 P.M., WE WILL TAKE UP WITH MR. MAXSON AND THE FIVE OR SIX OTHER FOLKS HERE IN SUPPORT AND THEN WE'LL START OUR DIALOGUE AND TRY TO TAKE ACTION AS SOON AS POSSIBLE. SO WITHOUT OBJECTION, WE'RE NOW GOING TO BREAK FOR LIVE MUSIC AND PROCLAMATION. STAY IF YOU CAN, KEEP YOUR SEATS AND GET COMFORTABLE. OUR MUSICIANS TODAY ARE THE MCCALLUM HIGH SCHOOL ORCHESTRA. WE'RE PROBABLY GOING TO HEAR ABOUT SOME OTHER NATIONAL OR INTERNATIONAL AWARD THEY'VE WON OR A TRIP THEY HAVE PLANNED. WE'LL TAKE UP PROCLAMATIONS AND THEN CONCLUDE THIS ZONING CASE

APPROXIMATELY 6:00 P.M. THANK YOU VERY MUCH, WE'RE NOW IN RECESS.

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Mayor Wynn: OKAY, FOLKS. IF I COULD HAVE YOUR ATTENTION, PLEASE. WELCOME TO OUR WEEKLY THURSDAY LIVE MUSIC GIG HERE AT THE WEEKLY CITY COUNCIL MEETING. JOINING US TODAY IS THE MCCALLUM ORCHESTRA. THE MCCALLUM HIGH SCHOOL ORCHESTRA PROGRAM STARTED IN 1953 WITH THE OPENING OF THE SCHOOL. TODAY THE PROGRAM HAS GROWN TO 100 STUDENTS PARTICIPATING IN THREE PERFORMING ORCHESTRAS, A DOUBLE BASS ENSEMBLE AND NUMEROUS OTHER QUARTETS AND ENSEMBLES. UNDER THE LEADERSHIP OF DIRECTOR RICKY PRINGLE, WHO IS BASS, THE THREE ORCHESTRAS HAVE RECEIVED TOP SCORES AT UIL CONCERTS. IN THE PAST YEARS, THE ORCHESTRAS AND STRING ENSEMBLES HAVE HAD COLLABORATIVE PERFORMANCES WITH DANCE, THEATER AND LOCAL MUSIC. IN JUNE OF 2006, THE CHAMBER ORCHESTRA PERFORMED AT CARNEGIE HALL AND THEY ARE GEARING UP FOR THEIR SECOND TRIP IN JUNE OF THIS YEAR. JOINED BY CHOIR DIRECTOR MALCOLM NELSON, PLEASE JOIN ME IN WELCOMING THE MCCALLUM ORCHESTRA. [APPLAUSE] ¶¶ ¶¶ ¶¶ ¶¶

Mayor Wynn: FABULOUS. SO WELL DONE. THAT SOUNDED GREAT. SO OBVIOUSLY YOU SEE WHY CONTINUOUS TOP SCORE. UIL COMPETITIVE ORCHESTRA. SO IF WE CAN, SO WE HAVE AGAIN MR. RICKY PRINGLE WHO HAS BEEN PLACE THE BASS WHO IS THE DIRECTOR. AND MALCOLM NELSON HERE DIRECTS THE CHOIR. SO TELL US A LITTLE BIT ABOUT THE UPCOMING TRIP. AND MY INSTINCT IS YOU'RE PROBABLY RAISING MONEY FOR THAT IN SOME FORM OF FASHION OR HOW CAN FOLKS BECOME AWARE OF IT AND HOW CAN WE HELP?

YES. ACTUALLY, THE FIRST THING THAT'S HAPPENING IS ON APRIL THE 3rd AT 8:00, THE FULL CHORAL DEPARTMENT AT MCCALLUM FINE ART ACADEMY IS PERFORMING THIS WHOLE SCHUBERT MASS AT THE LONG CENTER JUST ACROSS HERE. WE'RE REALLY EXCITED ABOUT THAT BECAUSE WE'LL BE ONE OF THE FIRST HIGH SCHOOL ORCHESTRA AND CHOIRS THAT GO IN THERE TOGETHER TO DO SOME MAJOR PERFORMANCE. IT'S REALLY NICE. WE'RE REALLY EXCITED ABOUT THAT.

Mayor Wynn: HOW DOES ONE GET TICKETS?

YOU CAN GO ON THE WEBSITE

Mayor Wynn: PROBABLY THE LONG CENTER, RIGHT?

THE LONG CENTER OR GET THEM AT THE DOOR THAT PARTICULAR NIGHT. THE SHOW IS AT 8:00 THAT NIGHT. THEN THE NEXT THING, RIGHT, WE ARE CONSTANTLY TRYING TO GATHER ENOUGH MONEY TO SEND A TOTAL OF ABOUT 110, 120 KIDS TO CARNEGIE HALL TO PERFORM TOGETHER THE SAME MASS IN G BY SCHUBERT WITH THE ORCHESTRA AND OUR

FULL CHOIR. IT'S A VERY SMALL GROUP OF THEM. THAT HAPPENS IN JUNE. YES, WE ARE CONSTANTLY WORKING ON GATHERING THE MONEY FOR THE CHOIR AND FOR THE KIDS. BECAUSE WE DO HAVE SOME KIDS THAT CAN'T AFFORD IT.

Mayor Wynn: HERE'S A CHANCE FOR BLATANT SELF PROMOTION. HOW DOES ONE OFFER TO DONATE TO THE CAUSE?

THE BEST WAY TO OFFER TO DONATE TO THE CAUSE IS TO CALL EITHER MR. PRINGLE AT THE SCHOOL OR ME AT THE SCHOOL AND WE WILL BE VERY HAPPY TO DIRECT YOU TO THE SPECIFIC WAYS OF DOING IT RATHER THAN GOING INTO THAT RIGHT NOW. JUST CALL MCCALLUM HIGH SCHOOL AND SAY CAN WE TALK TO THE CHOIR DIRECTOR OR CAN WE TALK TO THE ORCHESTRA DIRECTOR? THEY WILL SEND YOU DIRECTLY TO US ON THE PHONE AND WE'LL TAKE YOUR MONEY! WE'D LOVE IT, JUST LIKE THEY DO FOR THE TAXES. [LAUGHTER]

Mayor Wynn: AND ALSO IN THE MEANTIME, IF FOLKS WANT TO HEAR SOME RECORDINGS OF THE KIDS, IS THERE A WEBSITE? IS THERE A MYSPACE PAGE? HOW DO WE TRACK YOU DIGITALLY?

WE DON'T ACTUALLY HAVE A PLACE LIKE THAT FOR THE CHOIR, BUT THE ORCHESTRA HAS DONE SEVERAL THINGS. MIKE?

[INAUDIBLE NO MIC].

Mayor Wynn: MACORCHESTRA FUND.ORG.

THAT'S IT. AND WE REALLY WANT TO THANK PROBABLY THE OTHER THING, I WANT TO SAY ONE OTHER THING. WE THANK YOU FOR LETTING US PERFORM HERE FOR LETTING US PERFORM HERE TODAY. SOMETIMES WHEN WE THINK OF AUSTIN AS THE MUSIC CAPITOL THAT IT IS, SO MANY TIMES IT'S THE MUSIC THAT WE SEE ON SIXTH STREET, BUT THE KIND OF MUSIC THAT THESE KIDS ARE PERFORMING IS ALSO LIVE MUSIC AND I JUST THINK THAT'S A REALLY BIG THING BECAUSE WITH THE LYRIC OPERA AND ALL THE DIFFERENT CLASSICAL VENUES WE HAVE IN TOWN, IT'S REALLY NICE TO THINK OF THAT OTHER LIVE MUSIC THAT WE HAVE TOO. AND I JUST WANTED TO THROW THAT IN. [APPLAUSE]

Mayor Wynn: A PERFECT SEGUE INTO THE OFFICIAL PROCLAMATION WHICH READS: THE CITY OF AUSTIN TEXAS IS BLESSED WITH MANY CREATIVE MUSICIANS WHOSE TALENT EXTENDS TO VIRTUALLY EVERY MUSICAL GENRE AND WHEREAS OUR MUSIC SCENE THRIVES ONLY BECAUSE AUSTIN AUDIENCES SUPPORT GOOD MUSIC PRODUCED BY LEGENDS, OUR LOCAL FAVORITES AND NEWCOMERS ALIKE. WHEREAS WE'RE PLEASED TO SHOWCASE AND SUPPORT ALL OUR LOCAL ARTISTS. NOW THEREFORE I, WILL WYNN, MAYOR OF THE LIVE MUSIC CAPITOL OF THE WORLD, DO HERE BY PROCLAIM MARCH 26TH, 2009 AS MCCALLUM ORCHESTRA DAY HERE IN AUSTIN AND CALL ON ALL CITIZENS TO JOIN

ME IN CONGRATULATING THIS FINE YOUNG TALENT. [APPLAUSE] SO WHILE THE ORCHESTRA BREAK DOWN ON THIS SIDE OF THE ROOM, WE'RE GOING TO USE THIS PODIUM OVER HERE FOR OUR WEEKLY PROCLAMATIONS WHERE WE TRY TO RAISE AWARENESS AND SAY CONGRATULATIONS AND THANKS AND I WOULD LIKE TO TURN IT OVER TO COUNCILMEMBER LEFFINGWELL FOR THE FIRST PROCLAMATION.

Leffingwell: WELL, IT IS MY GREAT PLEASURE TODAY TO HONOR ONE OF MY FAVORITE PEOPLE AND LONG TIME FRIEND, CHARLOTTE FLYNN. CHARLOTTE HAS DEVOTED HER ENTIRE LIFE TO ADVOCACY FOR VARIOUS CAUSES IN CONNECTION WITH HER SERVICE, LONG TIME SERVICE WITH THE GRAY PANTHERS, BOTH AT THE LOCAL AND THE NATIONAL LEVEL. SHE HAS BEEN A LONG TIME ADVOCATE FOR HEALTH CARE AND PARTICULAR UNIVERSE TALL HEALTH CARE FOR EVERYBODY IN THE UNITED STATES. AND I WOULD LIKE TO POINT OUT THAT THIS CITY COUNCIL A FEW MONTHS AGO PASSED A RESOLUTION ALSO SUPPORTING UNIVERSAL HEALTH CARE. SHE'S ALSO BEEN A LONG TIME AND STAUNCH ADVOCATE OF THE DEVELOPMENT OF COMMUNITY BASED SERVICES FOR OLDER ADULTS AND DISABLED PERSONS AS ALTERNATIVE TO INSTITUTIONAL CARE. AND SHE HAS BEEN IN THE VANGUARD OF THE CIVIL RIGHTS MOVEMENT IN THIS COUNTRY FOR A VERY LONG TIME. AND AS I MENTIONED, SHE LED THE GRAY PANTHERS FOR DECADES. I THINK ONLY RECENTLY RELEASED HER HOLD ON THAT ORGANIZATION. SO THANK YOU FOR YOUR LONG SERVICE. AND I'M GOING TO READ THE PROCLAMATION. BE IT KNOWN THAT WHEREAS CHARLOTTE FLYNN IS A REGISTERED NURSE BY PROFESSION AND HAS HAD A LONG CAREER AS A LEADER WITH THE GRAY PANTHERS, BOTH LOCALLY AND AS CHAIR OF THE NATIONAL BOARD, AND WHEREAS CHARLOTTE HAS ALSO BEEN ACTIVE IN NURSING HOME REFORM, IN ENVIRONMENTAL ISSUES, AND WITH THE TRAVIS COUNTY HEALTH CARE DISTRICT. AND WHEREAS PEOPLE CHARACTERIZE CHARLOTTE AS AN INSPIRATION, A ROLE MODEL AND A FOLK HERO, A PERSON WHO HAS TOUCHED MANY LIVES IN A POSITIVE WAY AND WHEREAS WE'RE PLEASED TO JOIN IN CONGRATULATING CHARLOTTE FLYNN FOR HER MILESTONE 90TH BIRTHDAY. AND EXTEND OUR SINCERE THANKS FOR HER EFFORTS TO MAKE OUR WORLD A KINDER PLACE. NOW THEREFORE I, WILL WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS, DO HERE BY PROCLAIM MARCH 28TH, 2009, THAT'S SATURDAY, AS CHARLOTTE FLYNN DAY IN AUSTIN, TEXAS. CONGRATULATIONS, CHARLOTTE. [APPLAUSE]

AS MY DAUGHTER SAID WHEN THEY WERE ASKING ABOUT INFORMATION, THEY SAID, PLEASE DON'T GIVE HER A MICROPHONE. [LAUGHTER] BUT I HAVE TO SAY A FEW WORDS. YOU DON'T REACH 90 WITHOUT HAVING A LIFE OF PRIVILEGE AND OF OPPORTUNITY. AND I COULDN'T HAVE DONE IT WITHOUT MY FAMILY AND FRIENDS STARTING WITH MY HUSBAND BILL, WHO FOR 65 YEARS WAS MY PARTNER IN ANYTHING I ATTEMPTED. AND AS WELL AS MY CHILDREN AND GRANDCHILDREN WHO WERE BEHIND ME AND BESIDE ME IN ALL MY ENDEAVORS. THERE WERE TIMES WHEN IT GOT A LITTLE BIT ROUGH, BUT MY FAITH CARRIED ME THROUGH. AND SO I AM FROM THE BOTTOM OF MY HEART, I WANT TO THANK EVERYBODY HERE WHO HAS SUPPORTED ME. AND I LOVE YOU ALL. [APPLAUSE]

Mayor Wynn: AS I MENTIONED EARLIER, WHAT WE DO EACH WEEK WITH OUR PROCLAMATIONS IS TRY TO RAISE AWARENESS ABOUT CAUSES OR SPECIAL EVENTS, TO SAY THANK YOU TO FOLKS LIKE CHARLOTTE, TO SAY CONGRATULATIONS AND BEST WISHES TO RETIREES, THINGS LIKE THAT. THIS NEXT PROCLAMATION BY THE WAY, IN CASE YOU'RE WONDERING, THE PROTOCOL IS THAT ANY TIME WE HAVE ANYTHING TO DO WITH THE GRAY PANTHERS, COUNCILMEMBER LEFFINGWELL TAKES THOSE [LAUGHTER] SO MY FIRST PROCLAMATION IS REGARDING OUR GETTING CONNECTED CONFERENCE, TRYING TO RAISE AWARENESS FOR THAT EVENT. SO AFTER I READ THE PROCLAMATION, VICKY VALDEZ WILL SAY A FEW WORDS ABOUT WHY WE WANT MORE FOLKS TO BE AWARE OF IT. SO THE PROCLAMATION READS: BUSINESS OWNERS WHO ARE GETTING STARTED OR LOOKING TO EXPAND THEIR BUSINESS HAVE A GREAT OPPORTUNITY TO MEET, NETWORK AND LEARN FROM LOCAL ORGANIZATIONS THAT ASSIST BUSINESS OWNERS AT THE FREE GETTING CONNECTED BUSINESS RESOURCE FAIR. WHEREAS EXHIBITORS AT THE FAIR INCLUDE NONPROFIT ORGANIZATIONS, GOVERNMENT AGENCIES, AREA CHAMBERS OF COMMERCE AND COMMUNITY DEVELOPMENT CORPORATIONS WHOSE MISSION IT IS TO HELP BUSINESS OWNERS SUCCEED. AND WHEREAS WE ENCOURAGE ALL SMALL BUSINESS OWNERS TO TAKE ADVANTAGE OF THIS OPPORTUNITY OFFERED BY THE CITY'S SMALL BUSINESS DEVELOPMENT PROGRAM, NOW THEREFORE I, MAYOR WYNN, DO HERE BY PROCLAIM APRIL 2nd, 2009, NEXT THURSDAY, AS OUR SBDP GETTING CONNECTED DAY. AND AGAIN WITH THE ECONOMY AS IT IS AND EVERYBODY'S ATTENTION ON HOW SMALL BUSINESSES ARE STRUGGLING, WE THINK IT'S ALL WE SHOULD BE DOING TO TRY TO RAISE AWARENESS, GET MORE FOLKS WHO WANT TO PARTICIPATE WHO WANT TO PARTICIPATE AT THIS FREE CONFERENCE TO HOPEFULLY HELP CONTINUE MOVING OUR ECONOMY FORWARD. AND VICKY, IF YOU COULD SAY A FEW MORE WORDS ABOUT THE CONFERENCE. WELCOME AND THANK YOU.

THANK YOU, MAYOR. MY NAME IS VICKY VALDEZ. I'M THE SMALL BUSINESS ADMINISTRATOR HERE AT THE CITY OF AUSTIN. AND THE MAYOR MENTIONED NEXT THURSDAY, APRIL THE SECOND, THURSDAY APRIL THE SECOND FROM 3:00 TO 7:00 WE'LL BE HOSTING AN ANNUAL EVENT CALLED GETTING CONNECTED. IT'S A FAIR BUSINESS RESOURCE FAIR. I INVITE EVERYBODY TO PLEASE JOIN US TO ATTEND THIS EVENT. NOT ONLY WILL WE HAVE OVER 30 EXHIBITORS THAT WILL BE HERE TO HELP ANSWER QUESTIONS AS FAR AS YOU'RE LOOKING TO START A BUSINESS IN AUSTIN, IF YOU'RE LOOKING TO EXPAND YOUR BUSINESS IN AUSTIN OR ANY OTHER RESOURCES AS A BUSINESS OWNER YOU MAY HAVE OR NEED THAT YOU MAY HAVE. SO PLEASE JOIN US. IN ADDITION TO THE RESOURCES THAT WE'LL HAVE AVAILABLE, WE'LL ALSO BE HOSTING THREE BUSINESS START UP ORIENTATION CLASSES, AND THOSE ARE AVAILABLE ALSO TO THE PUBLIC. PLEASE JOIN US AGAIN. IT'S NEXT THURSDAY FROM 3:00 TO 7:00 AT PALMER EVENTS CENTER. IT'S A FREE RESOURCE FAIR AND FREE PARKING. [APPLAUSE]

Mayor Wynn: OKAY. THE NEXT ONE THEY'RE ALL, BUT THIS ONE IS A BIG DEAL AND FUN BECAUSE THIS IS OUR DISTINGUISHED SERVICE AWARD REGARDING HEROISM. I'M JOINED OBVIOUSLY BY THE FIRE CHIEF RHODA MAE KERR AND AFTER I READ THIS, I THINK THE

CHIEF PROBABLY HAS SOME ADDITIONAL CERTIFICATES TO OFFER THESE GUYS BECAUSE IT'S AN IMPRESSIVE STORY. SO THE OFFICIAL CITY OF AUSTIN DISTINGUISHED SERVICE AWARDS READ: FOR THEIR ASSISTANCE AT THE SCENE OF A HEAD ON COLLISION ON U.S. HIGHWAY 290 IN FEBRUARY, RICHARD SLACK, DAMIAN STONE AND TIM ESQUELL ARE DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. THE FORD RANGER PICKUP INVOLVED IN THE ACCIDENT WAS ON FIRE WHEN THESE WORKERS FROM NEARBY ESTABLISHMENTS RESPONDED. THE BYSTANDERS WERE ABLE TO CALL 911, PUT OUT THE FLAMES AND KEEP THE DRIVERS CALM UNTIL EMERGENCY CREWS ARRIVED. FIRE DEPARTMENT BATTALION CHIEF HARRY EVANS CREDITS THEM WITH SAVING THE DRIVERS' LIFE. THE CERTIFICATE IS PRESENT UNDERSTAND RECOGNITION AND APPRECIATION OF RICHARD SLACK, DAMIAN STONE AND TIM ESQUELL'S HEROIC EFFORTS ON BEHALF OF A FELLOW CITIZEN THIS 25TH DAY OF MARCH, SIGNED BY ME, MAYOR WYNN, BUT ALSO BY THE ENTIRE CITY COUNCIL, THESE DISTINGUISHED SERVICE AWARDS FROM THE AUSTIN CITY COUNCIL. THANK YOU AND CONGRATULATIONS. [APPLAUSE]

THANK YOU VERY MUCH. AND FROM THE AUSTIN FIRE DEPARTMENT, WE WOULD JUST LIKE TO GIVE THEM A CERTIFICATE OF APPRECIATION. AND IN THE PAPER THEY CALLED THESE THREE MEN EVERYDAY HEROS. AND IN MY EYES THEY TRULY ARE HEROS BECAUSE A HERO IS SOMEONE THAT DOES SOMETHING EXTRAORDINARY IN UNCOMMON TIMES. WE THANK YOU VERY MUCH. AND I'M SURE THOSE PEOPLE THAT WERE IN THAT VEHICLE ARE SO GLAD THAT THREE OF YOU WERE QUICK THINKING AND WERE ABLE TO MAKE A DIFFERENCE. THAT'S SO IMPORTANT TO US IN OUR EVERYDAY LIVES. SO A CERTIFICATE OF APPRECIATION IS AWARDED TO EACH ONE OF YOU. FROM THE AUSTIN FIRE DEPARTMENT, IN RECOGNITION AND APPRECIATION OF YOUR HEROIC EFFORTS TO SAVE THE LIFE OF A FELLOW HUMAN BEING. THANK YOU FOR GOING ABOVE AND BEYOND FROM ALL THE MEN AND WOMEN OF THE AUSTIN FIRE DEPARTMENT. THANK YOU VERY MUCH. [APPLAUSE]

THERE'S ANOTHER GROUP OF MEN THAT WE WOULD ALSO LIKE TO RECOGNIZE, ACTUALLY TWO MEN FROM THE AUSTIN POLICE DEPARTMENT, THAT CAME TO THE AID OF A FAMILY THAT WAS IN DURESS ON THE MORNING OF FEBRUARY 15TH WHEN THERE WAS A STRUCTURE FIRE THAT WAS TONED OUT TO THE AUSTIN FIRE DEPARTMENT AND AUSTIN POLICE DEPARTMENT AND THESE TWO OFFICERS ARRIVED ON SCENE. THE ONE ARRIVED ON SCENE BEFORE THE FIRE DEPARTMENT AND TRIED TO MAKE ENTRY INTO A FULLY BURNING STRUCTURE FIRE TO TRY TO RESCUE THREE YOUNG CHILDREN THAT WERE IN THE BUILDING. AND HE WAS UNSUCCESSFUL. HE HAD TO TURN BACK. BUT HE ALSO WAS INJURED IN TRYING TO IN THE LINE OF DUTY. AND WE WANT TO THANK BOTH OF THEM FOR THEIR EFFORTS. SO TO OFFICER MICHAEL YOUNG, WE HAVE A CERTIFICATE OF APPRECIATION IN RECOGNITION AND APPRECIATION OF YOUR SPIRIT OF COOPERATION AND PARTNERSHIP WITH THE AUSTIN FIRE DEPARTMENT. THANK YOU FOR HELPING US ACHIEVE OUR MISSION. AND THE SAME CERTIFICATE OF APPRECIATION GOES TO OFFICER PHILLIP KELLY, AND PHILLIP AIDED THE FIRE DEPARTMENT BY HELPING US PULL HOSE AND MAKE SURE THAT WE WERE ABLE TO PUT WATER ON THE FIRE AS QUICKLY AS POSSIBLE SO THAT THE OUTCOME OF THAT FIRE WASN'T WORSE THAN IT ACTUALLY ENDED UP BEING.

SO AGAIN, OFFICERS, THANK YOU SO MUCH. WE APPRECIATE ALL THAT YOU DID. FROM ALL THE MEN AND WOMEN OF THE AUSTIN FIRE DEPARTMENT, CONGRATULATIONS. [APPLAUSE]

Mayor Wynn: WELL, THIS IS WE HAVE A THEME GOING, SORT OF HERO WEEK. BECAUSE I'M GOING TO READ ANOTHER DISTINGUISHED SERVICE AWARD ABOUT ANOTHER CITY EMPLOYEE, AND WE WILL EITHER HEAR FROM BRENDA OR MARK OR SOMEBODY ABOUT HER AND/OR THE EVENT. BUT THE CITY OF AUSTIN DISTINGUISHED SERVICE AWARD READS, FOR HER QUICK RESPONSE AND ABILITY TO PUT HER SAFETY, TRAINING INTO ACTION, BRENDA LAURA IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. DURING AN EVENT AT THE AUSTIN CONVENTION CENTER, AN EXHIBITER COLLAPSED AND WAS UNRESPONSIVE. FACILITIES SERVICE REPRESENTATIVE BRENDA LAURA AND A PARAMEDIC ON DUTY RESPONDED TO THE CALL AND FOUND THE GENTLEMAN HAD NO VITAL SIGNS. WHILE THE PARAMEDIC PROVIDED OXYGEN, BRENDA GAVE THE MAN CPA FOR ALMOST FOUR MINUTES. ALTHOUGH THE GENTLEMAN HAD SUSTAINED A MASSIVE HEART ATTACK, BRENDA HELPED TO SAVE HIS LIFE BY KEEPING HIS HEART PUMPING USING CPR. THIS CERTIFICATE IS PRESENTED IN ACKNOWLEDGMENT OF HER LAUDABLE ACTION IN THIS EMERGENCY SITUATION ON THIS 26TH DAY OF MARCH, 2009, SIGNED BY ME, MAYOR WYNN, BUT ACKNOWLEDGED BY THE ENTIRE COUNCIL CITY COUNCIL, A DISTINGUISHED SERVICE AWARD TO MS. BRENDA LAURA. [APPLAUSE]

THANK YOU. THE GREAT NEWS IS BRENDA SPOKE WITH THE GENTLEMAN EARLIER THIS WEEK. HE'S HAD A FULL RECOVERY. HE'S WENT BACK TO WORK. AND HE LIVES IN SAN ANTONIO AND HE SAID HE NOW HAS A NEW FRIEND FOR LIFE. AND HE LOOKS FORWARD TO ACTUALLY MEETING BRENDA IN THE FACE AND LOOKING HER IN THE EYES FOR THE FIRST TIME HOPEFULLY REAL SOON. SO THAT IS OBVIOUSLY THE GREAT NEWS IS THE GENTLEMAN IS DOING SO WELL. THERE WAS A COUPLE OF THINGS THAT I FOUND VERY ENCOURAGING BESIDES THE FACT THAT THE GENTLEMAN LIVED AND THE SCENARIO. I WENT UP TO BRENDA SHORTLY THE NEXT DAY, SHORTLY AFTER, AND SAID, BRENDA, HERE YOU'RE THE HERO. TELL ME WHAT HAPPENED. AND SHE SAID, YOU KNOW, MARK, I ALWAYS WONDERED WHAT WOULD HAPPEN IF I WAS IN THIS SITUATION. AND I WOULD DO THE SAME THING THAT YOU WOULD DO, AND THAT IS REACT AND DO THE RIGHT THING. AND I KNOW THAT SHE USED THAT OPPORTUNITY TO SPEAK TO OTHER PEOPLE BOTH IN HER OWN DEPARTMENT AND AROUND THE CONVENTION CENTER ABOUT FACING TOUGH TIMES AND HOW YOU WOULD BE ABLE TO REACT WITH IT. WE ACTUALLY CAUGHT THE EPISODE ON TAPE,. AND THE OTHER THING THAT WAS REALLY ENCOURAGING IS THAT LOWELL COOK, WHOSE SUPERVISOR CAME ON TO THE SCENE AS BRENDA WAS GIVING CPR, AND AS BRENDA WAS ACTUALLY RELIEVED FROM DUTY AND ANOTHER GUY STARTED IT FOR A SHORT PERIOD OF TIME, YOU COULD SEE BRENDA LEAVE AND HER HAND WAS OVER HER FACE A LITTLE BIT AND I THINK SHE WAS QUITE EMOTIONAL. YOU SEE THIS TOUCHING MOMENT WHERE LOWELL COMES AND PUTS HER ARM AROUND HER AND THEY KIND OF WALK OFF. I THOUGHT THAT REALLY YOU SAW IN THE FILM ALL THE TEAMWORK THAT HAPPENED AT THE CONVENTION CENTER. AND IT WAS AMONG LOWELL AND OTHER PEOPLE

INVOLVED IN THE SCENARIO. BRENDA'S NORMAL JOB IS SHE IS ACTUALLY FACILITIES SERVICE REP, WHICH IS A SECURITY GUARD IS ANOTHER NAME FOR IT. AND WE'RE REALLY A CUSTOMER SERVICE ORGANIZATION, AND WE WANT PEOPLE TO COME IN TO AUSTIN AND COME INTO THE CENTER AND HAVE A GREAT TIME. AND WHEN THEY SEE THIS SMILING FACE WHEN THEY'RE WALKING AND NEEDING TO FIND A ROOM, THERE'S NO BETTER REPRESENTATIVE ON A DAY TO DAY THAN BRENDA IS. WE ARE JUST THANKFUL THAT WE HAVE HER ON STAFF AT THE CONVENTION CENTER. THANK YOU. [APPLAUSE]

Mayor Wynn: DO YOU WANT TO SAY A FEW WORDS? NO. LET'S TAKE A PHOTOGRAPH.

Mayor Wynn: OKAY. ALSO CONTINUING THIS THEME OF HEROS, HEROISM FOR 17 YEARS WORKING FOR THE CITY OF AUSTIN, THIS IS ALL KIDDING ASIDE, THIS IS OUR DISTINGUISHED SERVICE AWARD FOR C' ANNE'S RETIREMENT. 17 YEARS WITH THE CITY AND SHE JUST TOLD ME THAT HER FIRST DAY OF RETIREMENT IS APRIL FOOL'S DAY, APRIL 1st. I HOPE THERE'S NOT A JOKE IN THERE SOMEWHERE FOR YOU. I'M GOING TO READ THE DISTINGUISHED SERVICE AWARD AND THEN COUNCILMEMBER COLE WHO SERVES AS THE CHAIR OF THE AUDIT FINANCE COMMITTEE HAS AN ADDITIONAL PRESENTATION FOR C'ANNE. FOR MORE THAN 17 YEARS, C'ANNE DAUGHERTY IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. SHE BROUGHT AN EARLY EMPHASIS ON MANAGING FOR RESULTS. PERFORMANCE MEASUREMENTS AND PERFORMANCE BUDGETING. SHE ALSO LED THE CITYWIDE ETHICS AUDIT TO SUPPORT THE ESTABLISHMENT OF THE CITY OF AUSTIN INTEGRITY OFFICE AND A MORE RECENT PROGRESS TO REFINE THE CITY'S ETHIC STRUCTURE. WITHIN THE AUDITOR'S OFFICE SHE PLAYED A KEY ROLE IN DEVELOPING AND COACHING NEW AUDITORS. SHE ALSO PUSHED THE BOUNDARIES OF PERFORMANCE AUDITING BY ORGANIZING A PATTERNED AUDIT WITH 16 ENTITIES INVOLVED IN THE COMMUNITY'S JUVENILE JUSTICE SYSTEM. THIS CERTIFICATE IS PRESENTED WITH ADMIRATION AND APPRECIATION OF A DISTINGUISHED SERVICE TO THE CITY OF AUSTIN. AGAIN, THIS 26TH DAY OF MARCH, YEAR 2009, SIGNED BY ME, ACKNOWLEDGED BY THE ENTIRE AUSTIN CITY COUNCIL, A DISTINGUISHED SERVICE AWARD TO C'ANNE DAUGHERTY.

ON BEHALF OF THE AUDIT AND FINANCE COMMITTEE, I WOULD LIKE TO PRESENT A CERTIFICATE OF EXCELLENCE TO AUDIT AND FINANCE COMMITTEE CERTIFICATE OF EXCELLENCE IS HERE BY AWARDED TO YOU FOR OUTSTANDING SERVICE FROM THE CITY OF AUSTIN FOR SERVICE FROM 1991 TO 2009. [APPLAUSE]

OH MY GOSH. FOR DISTINGUISHED SERVICE. [LAUGHTER]

Mayor Wynn: FOR MY FINAL PROCLAMATION, ANOTHER DISTINGUISHED SERVICE AWARD, A RETIREMENT. I'VE SEEN LOTS OF THESE OVER THE LAST NINE YEARS AND THEY'RE SORT OF BITTERSWEET BECAUSE YOU WANT TO SAY CONGRATULATIONS, JOB WELL DONE, AND AT THE SAME TIME YOU DON'T WANT TO SAY GOOD BYE. I'LL READ A DISTINGUISHED SERVICE AWARD FOR JAVAD OSKOUIPOUR. I'VE BEEN WORKING ON THAT ALL AFTERNOON, ACTUALLY. FOR 23 YEARS OF SERVICE. AGAIN, I'LL READ THE DISTINGUISHED SERVICE

AWARD. I HOPE WE HEAR FROM JAVAD DID ABOUT HIS SERVICE. FROM THE CITY OF AUSTIN DISTINGUISHED SERVICE AWARD FOR HIS UNTIRING SERVICE AND COMMITMENT TO OUR CITIZENS DURING HIS 23 YEAR TENURE AS A DEDICATED EMPLOYEE OF THE CITY OF AUSTIN, JAVAD, PROFESSIONAL ENGINEER, IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION AS AN ENGINEER IN DEVELOPMENT REVIEW, JAVAD HAS ALWAYS CHALLENGE THOSE WISHING TO BUILD HERE TO MAKE AUSTIN THE MOST LIVEABLE CITY IN THE COUNTRY. THROUGH THREE DEPARTMENT CHANGES, EIGHT DEPARTMENT DIRECTORS AND FOUR ECONOMIC DOWNTURNS, JAVAD HAS SERVED ADD A STABLE THREAD FOR THE DEVELOPMENT COMMUNITY AND EMPLOYEES AND CITIZENS. HE'S ALSO ENSURED THAT THE PROVISIONS OF OUR LAND DEVELOPMENT CODE WERE APPLIED FAIRLY AND CONSISTENTLY. THIS CERTIFICATE IS PRESENTED WITH OUR DEEP RESPECT AND APPRECIATION OF HIS DISTINGUISHED SERVICE TO THE CITY OF AUSTIN THIS 26TH DAY OF MARCH, 2009. SIGNED BY ME AND ACKNOWLEDGED BY THE ENTIRE AUSTIN CITY COUNCIL, A DISTINGUISHED SERVICE AWARD FOR JAVAD OSKOUIPOUR.

THANK YOU, MAYOR. I JUST WANT TO SAY A FEW WORDS ABOUT JAVAD. JAVAD IS THE SUPERVISING ENGINEER FOR DRAINAGE REVIEW IN THE DEPARTMENT OF WATERSHED PROTECTION AND DEVELOPMENT REVIEW. HIS MAJOR RESPONSIBILITY IS TO ENSURE THAT NEW DEVELOPMENTS COMPLY WITH CITY SAFETY STANDARDS AND DO NOT CAUSE ADDITIONAL FLOODING. WE APPRECIATE HIM FOR HIS DEPENDABILITY, FOR HIS PROBLEM SOLVING SKILLS AND FOR TRAINING AND MENTORING YOUNGER STAFF. AND HIS CONTRIBUTIONS TO THE CITY WILL BE GREATLY MISSED. THANK YOU, JAVAD. [APPLAUSE]

Mayor Wynn: PLEASE SAY A FEW WORDS FOR US.

HONORABLE MAYOR AND CITY COUNCILMEMBERS, CITIZENS OF AUSTIN, MY NAME IS JAVAD. IT HAS BEEN HONOR FOR ME TO BE WORKING AS AN ENGINEER FOR WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT SINCE 1985. AUSTIN HAS BEEN A WONDERFUL PLACE TO LIVE. I'M PROUD TO BE PART OF THAT SERVING THE CITIZENS OF AUSTIN. AUSTIN IS A HAS CHANGED SINCE THE PAST 23 YEARS AND IT'S BEEN REWARDING FOR ME TO BE PART OF THIS CHANGE. AND ESPECIALLY IN THE PAST 23 YEARS, I HAVE HAD THREE DIFFERENT DEPARTMENTS AND EIGHT OR NINE DIRECTORS. IN THE PAST TWO YEARS I'VE BEEN UNDER LEADERSHIP OF (INDISCERNIBLE) AND JULIA LIPTON AND GEORGE ZAPALAC HAS BEEN WONDERFUL YEARS FOR ME TO SERVE THE CITY OF AUSTIN. THANK YOU, CITIZENS OF AUSTIN. THANK YOU. [APPLAUSE]

Mayor Wynn: I APPRECIATE EVERYBODY'S PATIENCE. WE'RE DONE WITH PROCLAMATIONS. AS SOON AS I FIND FOUR COUNCILMEMBERS, WE WILL RECONVENE OUR ZONING CASES. THANK YOU.

AT THIS TIME I'LL CALL BACK TO ORDER THIS MEETING OF THE CITY COUNCIL. I APOLOGIZE FOR THE DELAY. WE'VE BEEN IN RECESS NOW FOR AN HOUR. LET'S SEE. SO IF YOU REMEMBER WE HAD HEARD OUR PRESENTATION FROM STAFF, WE HEARD FROM FOLKS IN

OPPOSITION TO THE ZONING CASE. WE HAD BEGUN A HEARING FROM FOLKS IN SUPPORT OF THE HISTORIC ZONING CASE. WE HEARD FROM OUR FIRST THREE SPEAKERS, WITH A FEW MORE TO GO, AND SO WITHOUT FURTHER AND DO KNOW, BY THE WAY, THAT THE IF A COUNCIL MEMBER ISN'T ON THE DAIS OTHER THAN THE MAYOR PRO TEM, WHEN THEY'RE BACKSTAGE THEY SEE THE VIDEO AND HEAR THE AUDIO OF THE PROCEEDING. WELCOME BACK. WELCOME, PETER. I APPRECIATE YOUR PATIENCE. YOU WILL HAVE THREE MINUTES, I BELIEVE IT IS, TO BE FOLLOWED BY HANNAH WISEMAN. THANK YOU, PETER.

THANK YOU, MAYOR. COUNCIL MEMBERS. MY NAME IS PETER FLIGHT MAXON. I LIVE IN THE ONE DECREPIT HOUSE, ONCE THE BRADFORD NOHRA HOUSE, I'VE BEEN THERE FOR 20 YEARS. I WAS SENIOR ARCHITECTURAL HISTORIAN WITH THE HISTORIC COMMISSION AT THE TIME THE HYDE PARK HISTORIC COMMISSION WENT THROUGH THOUGH I HAD NOTHING TO DO WITH IT. IT DOESN'T SURPRISE ME IN THE LEAST THAT 20 YEARS AGO WHEN THE NOMINATION WAS DONE, THAT THE BUILDING THAT THE BRADFORD HOUSE WOULD NOT HAVE BEEN CONSIDERED CONTRIBUTING. THE NATIONAL PARK SERVICE HAS A 50 YEAR TIMELINE. WHEN I BEGAN WORK AT THE HISTORICAL COMMISSION AND NOBODY WOULD HAVE CONSIDERED BUNGALOWS WORTH RECOGNITION OR PRESERVATION. WHEN I WORKED ON THE FREDERICKSBURG HISTORIC DISTRICT REWRITING THAT, NO ONE HAD ANY IDEA THAT IF YOU READ THE DOCUMENT, YOU WOULD THINK THAT NOTHING HAPPENED AFTER THE CIVIL WAR THERE. THERE ARE MANY, MANY MORE SUNDAY HOUSES BUNGALOWS THAN THERE ARE SUNDAY HOUSES. SIMILARLY, THE BRADFORD NOHRA HOUSE HAS BEEN IN ITS PRESENT CONFIGURATION THE BETTER PART OF 60 YEARS, AND IF YOU LOOK AT IT AS AN EVOLUTIONARY HOUSE, NOT AS A PRISTINE EXAMPLE OF A STYLE BUT AS A HOUSE THAT HAS CHANGED OVER TIME, THEN ARGUABLY IT DOES HAVE INTEGRITY. AS A CONSULTANT I DID THE FOR MEMBERRER TON ON WOOLDRIDGE DRIVE. IF YOU RESTORED TO ITS ORIGINAL CONFIGURATION THAT WOULD BE A WATER TOWER. IT WAS ADDED ON TO AS THE PEMBERTON REALTY OFFICE AND VARIOUS CHANGES HAVE BEEN MADE OVER THE DECADES BUT IT STILL HAS INTEGRITY AND CHARACTER. IF YOU LOOK AT, AGAIN, THE NORA BRADFORD NOHRA HOUSE AND NOTE IT IS BOTH NAMES, TWO BUILDING CAMPAIGNS WE'RE TALKING ABOUT, THE HOUSE HAS A ARGUABLY A GOOD SORT OF MID CENTURY MODERN CHARACTER ABOUT IT. I HOPE THAT ALL LISTENING HAVE HAD A CHANCE TO GO TO THE BIRTH OF THE CONSTITUTIONAL EXHIBIT AT THE BLANTON MUSEUM AND THE COOL EXHIBIT AT THE AUSTIN ART MUSEUM. BOTH OF THOSE ARE FOCUSING ON THINGS THAT THOSE OF US A CERTAIN AGE TOOK FOR GRANTED SO MUCH WHEN WE WERE CHILDREN THAT THE NEW GENERATION HAS REDISCOVERED AND SEEM TO HAVE CHARACTER. MY FEELING IS THAT THE NORA HOUSE IS ONE OF THE MOST INTERESTING TRANSITIONAL 19 OR TRANSITIONAL 1950'S HOUSES IN AUSTIN, AND I WOULD REALLY HATE TO SEE IT GO THE WAY OF PALMAR AUDITORIUM, HANCOCK CENTER AND ROBERT MUELLER AIRPORT. I WOULD FINALLY ADD THAT WHEN I FIRST CAME TO HYDE PARK, THIS WAS ONE OF THE HOUSES THAT I WAS IMMEDIATELY STRUCK BY. PEOPLE WERE THOUGHT IT HAD A GREAT DEAL OF CHARACTER, AND THERE WAS A GREAT DEAL OF NEIGHBORHOOD AFFECTION, THAT HAD THE NICKNAME TARA APPLIED TO IT. BUT IT IS ONE PEOPLE

THOUGHT THEN AND THINK NOW EVEN MORE SO THAT IT WAS VERY COOL. WOULD THEY SAY THAT ABOUT REPLACEMENT APARTMENTS OR CONDOMINIUMS? I REALLY DON'T THINK SO. THIS BUILDING DOES HAVE VALUE TO THE PEOPLE OF HYDE PARK AND BEYOND, AND I HOPE YOUR VOTE ON THIS WILL BE A STRONG AYE. THANKS VERY MUCH.

MAYOR WYNN: THANK YOU, MR. MAXON. LET'S SEE, HANNAH WISEMAN. WELCOME, HANNAH. APPRECIATE YOUR PATIENTS, TO BE FOLLOWED BY LYNN TEAM. SO HANNAH, YOU TOO WILL HAVE THREE MINUTES.

THANK YOU CITY COUNCIL. MY NAME IS HANNAH WISEMAN AND I LIVE ON AVENUE G. I WOULD LIKE TO BEGIN BY EMPHASIZING MY DEEP RESPECT FOR SYLVIA DUDNI. AFTER PARTICIPATING IN THE NEGOTIATION BY COUNCIL MEMBER SHADE. I WOULD ALSO LIKE TO BRIEFLY MENTION THAT TERRY MYERS, INDEPENDENT CONSULTANT TO HYDE PARK'S LOCAL HISTORIC DISTRICT, WHICH IS IN THE PROPOSED STAGES, LISTED THE HOME AS CONTRIBUTING TO THE DISTRICT IN JANUARY. SPEAKING QUICKLY TO THE CRITERION OF HISTORICAL ASSOCIATIONS WITH SPECIFIC PERSONS, DEWEY BRADFORD WHILE LIVING AT 213 AVENUE G FOR TWO DECADES DISCOVERED AND THIS WAS THE HEART OF DEWEY'S CAREER. SO THAT WAS IN 1939 ACCORDING TO HISTORIAN RUTH DODDARD AND THAT WAS WHEN HE WAS IN THE HOME AT AVENUE G. HE LIVED AT THE PAINT COMPANY WHILE WORKING IN THE HOME AND BECAME PRESIDENT OF THAT COMPANY WHILE LIVING IN THE HOME. THE STOCK CERTIFICATES SPEAK TO THIS. ALL OF THESE ACTIVITIES DONE WHILE DEWEY WAS IN THE HOME FORM THE VITAL FOUNDATION OF HIS CAREER. BOTH OF THE OTHER HOMES IN WHICH DEWEY LIVED, THE SHOT TOWER AND STRATFORD DRIVE, HAVE BEEN DEMOLISHED. THANK YOU.

MAYOR WYNN: THANK YOU, MS. WISEMAN. LET'S SEE. LYNN TEAM. WELCOME BACK, LYNN. YOU TOO WILL HAVE THREE MINUTES TO BE FOLLOWED BY DAVID CONNOR.

THANK YOU. GOOD EVENING, MR. MAYOR, COUNCIL MEMBERS. MY NAME IS LYNN TEAM, AND I'M HERE IN PLACE OF JULIAN REED, THE PRESIDENT OF THE HERITAGE SOCIETY OF AUSTIN. YOU RECEIVED A LETTER FROM THE HERITAGE SOCIETY IN STRONG SUPPORT OF THIS HISTORIC DESIGNATION OF THIS PROPERTY, AND I'M NOT GOING TO READ THE LETTER TO YOU. YOU HAVE IT. AND I WILL ANSWER QUESTIONS. I WANT TO MAKE ONE LITTLE POINT. I CO CHAIR THE PRESERVATION COMMITTEE FOR THE HERITAGE SOCIETY, AND THAT COMMITTEE IS FULL OF AMAZINGLY TALENTED ARCHITECTS AND ARCHITECTURAL HISTORIANS, VERY, VERY COMPETENT RESEARCHERS AND EXPERT ON HISTORIC PRESERVATION. WE GOT THIS CASE AND WE REALIZED IT WAS AN UNUSUAL CASE. WE LOOKED AT IT VERY CAREFULLY OVER A PERIOD OF TIME, AND WE WERE QUITE IMPRESSED WITH THE RESEARCH THE NEIGHBORHOOD HAD DONE, QUITE IMPRESSED. AND WE UNANIMOUSLY ENDORSED IT TO THE BOARD FOR THIS POSITION. IT IS AN UNUSUAL CASE BECAUSE IT'S AN UNUSUAL HOUSE, AND FOR THAT VERY REASON WE THINK IT SHOULD BE PRESERVED. IF YOU HAVE ANY QUESTIONS.

MAYOR WYNN: THANK YOU, MS. TEAM. QUESTIONS FOR LYNN, COUNCIL? THANK YOU, MS. TEAM. DAVID, WELCOME. YOU TOO WILL HAVE THREE MINUTES, TO BE FOLLOWED BY WANDA PIN, EXCUSE ME, PIN, YES.

GOOD EVENING MAYOR, CITY COUNCIL. MY NAME IS DAVID CONNOR AND I'M THE CURRENT PRESIDENT OF THE HYDE PARK NEIGHBORHOOD ASSOCIATION AND A MEMBER OF THE REVIEW COMMITTEE. IN DECEMBER 2008 THE HYDE PARK NEIGHBORHOOD STEERING COMMITTEE VOTED TO SUPPORT HISTORIC ZONING FOR THE BRADFORD NOHRA HOUSE. WE ALSO AUTHORIZED SEVERAL INDIVIDUALS WHO HAD BEEN ACTIVE FROM TRYING TO REACH A CREATIVE SOLUTION FOR THIS PROPERTY TO ACT ON THE NEIGHBORHOOD'S BEHALF IN NEGOTIATIONS INSTITUTED BY COUNCIL MEMBER SHADE. WE FEEL THAT THERE ARE VERY STRONG OPPORTUNITIES FOR THIS PROPERTY ONCE IT IS ZONED HISTORIC AND WE WILL CONTINUE TO SUPPORT THE OWNERS IN PURSUING THOSE OPPORTUNITIES IF THEY CHOOSE TO DO SO. SO ON BEHALF OF THE HYDE PARK NEIGHBORHOOD ASSOCIATION, I THANK THE COUNCIL FOR ITS DILIGENT ATTENTION TO THIS CASE AND EMPHASIZE THE NEIGHBORHOOD'S CONTINUED SUPPORT FOR HISTORIC ZONING. THANK YOU.

MAYOR WYNN: THANK YOU, MR. CONNOR. LET'S SEE, WANDA PIN, WELCOME, MS. PIN. YOU TOO WILL HAVE THREE MINUTES, TO BE FOLLOWED BY DOROTHY RICHTER.

GOOD EVENING. I MOVED TO HYDE PARK ON APRIL FOOL'S DAY IN 1977, TO A HOUSE THAT HAD BEEN EMPTY FOR THREE YEARS AND HADN'T REALLY BEEN LIVED IN FOR A LONG TIME BEFORE THEN. IT'S NOW BEEN FULLY RESTORED. THIS YEAR, NEXT WEEK, ACTUALLY, ON APRIL FOOL'S DAY, I'M MOVING OUT OF THAT HOUSE TO ANOTHER HOUSE IN HYDE PARK THAT HASN'T BEEN LIVED IN IN 30 YEARS. IT'S NOW BEEN FULLY RESTORED. I'VE DONE BOTH OF THESE HOUSES WITH NO ARCHITECT, NO SERIOUS PROFESSIONALS, IF YOU WILL, BEING INVOLVED IN IT, JUST NEIGHBORHOOD PEOPLE AND PEOPLE I'VE KNOWN AND PEOPLE WHO HAVE BEEN WILLING TO HELP. IT'S THE KIND OF NEIGHBORHOOD WE ARE. I HAVE HERE THREE THREE BINDERS LIKE THIS. THEY'RE HOUSES IN HYDE PARK. THERE ARE TWO KINDS OF HOUSES IN HERE. THERE'S HOUSES IN HERE THAT NO LONGER EXIST AND THERE'S HOUSES IN HERE THAT HAVE BEEN RESTORED. YOU WERE GIVEN A BINDER AT SOME POINT DURING ALL THE HEARINGS THAT WE'VE HAD. THE LAST PART OF THAT BINDER, THE LAST TAB IN THERE, HAS A BUNCH OF HOUSES, AND THERE ARE SOME OF OUR BEST PICKS, IF YOU WILL, FOR THE HOUSES THAT WERE BOTH IN THE WORST SHAPE AND ARE NOW IN THE BEST SHAPE. LEE WALKER'S HOUSE, ACTUALLY, IS IN THAT GROUP. THAT'S THE WOODBURN HOUSE UP THERE. THERE'S LEE WALKER'S HOUSE. THE POINT IS THE HOUSE THAT I RECENTLY PURCHASED, OR HELPED TO REDEVELOP AND THEN PURCHASE FROM THE GROUP THAT WAS DOING THAT IN THE NEIGHBORHOOD HAD MOLD IN THE BACK ROOM. THE BACK PORCH WAS TOTALLY FALLING OFF. THE WHOLE HOUSE WAS SHIFTING OFF OF ITS FOUNDATION. HADN'T BEEN LIVED IN IN 30 YEARS. HAD BEEN BOARDED UP, HAD SIDING ON IT. THAT HOUSE GOT HISTORIC ZONING. THIS HOUSE, THE WOODBURN HOUSE, GOT HISTORIC ZONING WITHOUT ANY PRESERVATION PLAN. THE HOUSE I CURRENTLY LIVE

IN NOW GOT HISTORIC ZONING. YOU KNOW, IT'S IT'S YOU HAVE TWO CHOICES. YOU SAVE THE BUILDING LONG ENOUGH FOR IT TO BE RESTORED OR YOU LET IT GO THE WAY OF A LOT OF BUILDINGS, SUCH AS OVER IN WEST CAMPUS. THAT AREA I DON'T CONSIDER TO BE A NEIGHBORHOOD ANYMORE. IT'S A BUNCH OF STRUCTURES WITH A BUNCH OF PEOPLE LIVING IN IT, BUT IT HAS THOSE PEOPLE HAVE NO BUY INTO IS THAT AREA, OTHER THAN TO LIVE THERE FOR FOUR TO SIX YEARS WHILE THEY GO TO SCHOOL, FOR THE MOST PART. HYDE PARK IS STILL A NEIGHBORHOOD BECAUSE WE HAVE FOUGHT HOUSE BY HOUSE BY HOUSE TO KEEP IT THAT WAY. ANY STRUCTURE THAT LEAVES THAT NEIGHBORHOOD GOES AWAY AFTER A VERY LONG FIGHT, AS YOU CAN WELL SEE, AND I'M HOPING IN THIS INSTANCE THAT WE CAN KEEP THIS STRUCTURE ON THE LAND LONG ENOUGH TO GET IT RESTORED. THANK YOU.

MAYOR WYNN: THANK YOU, MS. PIN. AND DOROTHY RICHTER. WELCOME, DOROTHY. YOU TOO WILL HAVE THREE MINUTES.

[INAUDIBLE]

MAYOR WYNN: YOU MAY, COUNCIL MEMBER.

SHADE: SHADE YEAH, I WAS JUST CURIOUSIOUS. SO ON ALL OF THOSE WHAT WAS THE ORDER IN OTHER WORDS, YOU BUY THE HOUSE, YOU RESTORE IT AND GET THE HISTORIC ZONING, JUST TO CLARIFY THAT.

IT KIND OF DEPENDS ON WHEN IT HAPPENED, BECAUSE ONE OF THE FIRST HOUSES WAS IN 1976. THAT WAS GEORGE BATWELL'S HOUSE AT AVENUE C AND 40TH STREET, 3913, ACTUALLY. THAT HOUSE WAS CONDEMNED ON 23 COUNTS WHEN HE PURCHASED IT. IF YOU CAN PUT THE WOLFF HOUSE BACK UP ON THE SCREEN, WHICH IS WHERE LEE WALKER LIVES NOW THAT HOUSE THERE, THE TOP PICTURE WHERE ALL THE HOLES ARE IN THE ROOF, PEOPLE WERE LIVING IN THAT HOUSE AT THE TIME IT WAS IN THAT SHAPE. WE WAITED DOROTHY ACTUALLY WAITED UNTIL THEY WERE ALL ALL THE RENTERS WERE OUT OF THERE AT ONE TIME AND THEN CALLED THE CITY RIGHT AWAY TO GET IT CONDEMNED BECAUSE THAT WAS THE ONLY WAY WE HAD AT THAT TIME TO TRY TO GET IT SALVAGED BEFORE IT TOTALLY FELL DOWN. FORTUNATELY WE FOUND A BUYER FOR IT, OR A BUYER CAME FORWARD FOR IT, AND RESTORED THE HOUSE TO THE WAY IT LOOKS TODAY. THAT'S WHAT HAPPENS IN HYDE PARK.

RIGHT, I UNDERSTAND. BUT MY QUESTION WAS, SO THE PEOPLE WHO ARE BUYING THESE HOUSES IN DISREPAIR, THEY'RE BUYING IT AND THEN THEY'RE DOING THE REPAIRS AND THEN THEY'RE GOING THE HISTORIC ZONING?

CORRECT. FOR THE MOST PART. NOW, IF YOU LOOK ATTWOODBURN HOUSE, DOROTHY I THINK IS GOING TO SPEAK TO THAT. THAT WAS GIVEN HISTORIC ZONING IN THAT SHAPE, THE BEFORE SHAME. SO IT'S BASICALLY DEPENDENT ON WHEN YOU ASK FOR HISTORIC

ZONING AFTER THE ORDINANCE WAS PASSED. I KNOW WHEN WE FIRST STARTED WITH THE HISTORIC ZONING WE LOST THE HANDOUTON HOUSE, THE HONEY CUT HOUSE AND THE SHOT TOWER WENT SHORTLY AFTER THAT BECAUSE PEOPLE WERE CONCERNED ABOUT VALUES. BUT I THINK IN A NEIGHBORHOOD LIKE HYDE PARK WE HAVE PROVED THAT PROPERTY VALUES GO UP IF YOU HAVE A HISTORIC HOUSE IN A HISTORIC NEIGHBORHOOD. THAT'S BEEN GOING DOWN.

SHADE: THANK YOU VERY MUCH.

MAYOR WYNN: DOROTHY, WELCOME.

I'M DOROTHY RECTOR. IN ORDER TO BE BRIEF I'VE WRITTEN WHAT I WANTED TO SAY. WHEN I MOVED TO HYDE PARK IN THE EARLY '60S, THE AREA WAS IN DEEP DECLINE. IT WAS RED LINED. THERE WERE ROWS OF HOUSES JUST EAST OF GUADALUPE THAT WERE BEING TORN DOWN, WERE LOST. AND ABOUT THAT TIME THE CITY ADOPTED THE HISTORIC ZONING ORDINANCE, AND THEN THERE WAS AN INCENTIVE FOR PEOPLE TO BUY AND RESTORE AND PRESERVE THE VALUABLE HISTORIC STOCK IN AUSTIN AND IN HYDE PARK. NOW HYDE PARK HAS ONE OF THE HIGHEST TAX APPRAISALS IN AUSTIN. THE CITY THE PEOPLE WANT TO LIVE IN HYDE PARK. IT'S A NEIGHBORHOOD, AND THERE ARE PEOPLE WAITING TO BUY HOUSES THERE. THE BRADFORD NOHRA HOUSE IS AS IMPORTANT TO HYDE PARK, IN KEEPING ITS HISTORIC DISTRICT, AS AS HYDE PARK IS IMPORTANT TO THE CITY OF AUSTIN FOR ITS TOURIST INTEREST AND ITS TAX BASE. I HAVE TO MENTION THE WOODBURN HOUSE. THE ZONING OF THIS THE HISTORIC ZONING WAS AGAINST THE OWNER'S OPPOSITION, AND THIS WOULD NOT BE SETTING A PRECEDENT BECAUSE THE WOODBURN HOUSE WAS AT 40TH AND F, AND IT WAS NOT LIVABLE AT THE TIME, AND IT WAS OPPOSED BY ITS OWNER. IT WAS ZONED HISTORIC ON THAT LOCATION, AND THEN IT WAS MOVED TO 42ND AND D. IT WAS BEAUTIFULLY RESTORED, AND IT'S RECOGNIZED NOW AS AUSTIN'S BEST BREAD AND BREAKFAST. SO THANK YOU. ANY QUESTIONS?

MAYOR WYNN: THANK YOU, DOROTHY. QUESTIONS, COUNCIL? COUNCIL, I BELIEVE THAT'S ALL THE FOLKS WHO HAVE SIGNED UP WISHING TO GIVE US TESTIMONY IN SUPPORT OF THE ZONING CASE. LET'S MAKE SURE THAT PAT TOOY OKAY, WE'LL NOTE YOUR SUPPORT FOR HISTORIC ZONING FOR THE RECORD. LET'S SEE, AND EARLIER I HAD CALLED JOHN PAUL MOORE. MOORE?

I APOLOGIZE [INAUDIBLE]

MAYOR WYNN: THAT'S FINE. YOU'RE WELCOME TO THIS WOULD BE YOUR CHANCE IF YOU WOULD LIKE TO GIVE US TESTIMONY. SO WE'LL NOTE YOUR SUPPORT FOR THE HISTORIC ZONING. SO COUNCIL, THAT'S ALL THE FOLKS THAT WANT TO GIVE US DIRECT TESTIMONY. TYPICALLY WE HAVE A ONE TIME THREE MINUTE REBUTTAL BY THE APPLICANT OR AGENT, IN THIS CASE TECHNICALLY THAT'S MR. OR THE CITY OF AUSTIN. I DON'T THINK IT'S NECESSARILY APPROPRIATE FOR STEVE TO NEED TO REBUT ANYTHING THAT WE ALL HAVE

HEARD. SO NOW I GUESS I'D LIKE TO OPEN IT UP FOR QUESTIONS COMMENTS OR QUESTIONS OF STAFF OR NEIGHBORS. COUNCIL MEMBER SHADE?

SHADE: I'LL JUST SAY THAT AS A PERSON WHO SPENT, YOU KNOW, A LOT OF TIME WORKING WITH PEOPLE FROM ALL DIFFERENT SIDES ON THIS ISSUE, THAT I RECOGNIZE HOW REALLY CHALLENGING IT'S BEEN AND I WANT TO THANK EVERYBODY FOR COMING TO THE TABLE AND TRYING TO FIND A WIN WIN TYPE OF SITUATION. AND I KNOW THAT IT'S JUST YOU KNOW, THERE'S SO MUCH EMOTION TIED INTO THIS. THIS IS AN ISSUE OF PROPERTY RIGHTS, COMMUNITY RIGHTS, THAT WHERE ONE ENDS AND THE OTHER BEGINS, AND I JUST HOPE THAT TONIGHT WE'RE ON THE FIRST READING. WE'LL HAVE SOME TIME IN BETWEEN NOW. I KNOW STAFF WILL PREPARE THE ORDINANCE, YOU KNOW, AND WHATEVER WE DO FOR SECOND AND THIRD READING AS QUICKLY AS THEY CAN. BUT I DO HOPE IN THE INTERIM TIME THAT IF THERE'S ANY WAY AT ALL TO LOOK FOR A SOLUTION THAT ACCOMMODATES ALL SIDES, I REALLY WISH THAT IT WOULD HAPPEN. SO THAT'S WHAT I'LL SAY.

MAYOR WYNN: AGAIN, FURTHER COMMENTS, QUESTIONS? I GUESS I HAVE A TECHNICAL QUESTION FOR, I GUESS, MR. SADOWSKY. I HAPPEN TO BE VERY PROUD, I OWN A A GLORIOUS HISTORIC COMMERCIAL BUILDING HERE DOWNTOWN. IT'S ONE OF THE FEW FREESTANDING BUILDINGS ON SIXTH STREET, AND SO I GET THE BENEFIT OF I WANT TO MAINTAIN ITS HISTORIC STATUS. I GET, YOU KNOW, THE AD VALOREM TAX BENEFIT EACH YEAR OF THAT INVESTMENT. AND, YOU KNOW, THREE, FIVE YEARS AGO I GOT A ALL RIGHT, PROBABLY FROM YOU, STEVE, OR A LETTER, PROBABLY FROM YOU STEVE, AND EVEN THOUGH THE BUILDING LOOKS GREAT AS YOU DROVE BY, I HAVE A FABULOUS TENANT IN THE BUILDING THAT LOVES BEING IN THERE AND PAYS THE RENT EVERY MONTH ON TIME, ALL THAT. BUT I ACTUALLY GOT A LETTER FROM THE CITY THAT HAD DONE SOME TYPE OF PHYSICAL INSPECTION OF THE BUILDING AND SENT ME THIS NOTE ABOUT SOME WOOD ROT THAT WAS ON, YOU KNOW, ONE OF MY EXTERIOR WALLS ALONG WALLER CREEK. AND, YOU KNOW ONE OF MY WINDOWS ALONG WALLER CREEK. MIGHT BE MISCHARACTERIZING IT BUT THE IMPLY WAS IF I DIDN'T FIX THAT WOOD ROT IN THE BUILDING THAT WAS FULLY OCCUPIED BY A HIGH TECHNICAL OFFICE TENANT THAT I THINK I REMEMBER THE THREAT BEING I MIGHT LOSE MY HISTORIC STATUS. AND, YOU KNOW, I TOOK IT VERY SERIOUSLY AND OF COURSE CALLED A CARPENTER AND OVER A MATTER OF WEEKS I THINK WE ENDED UP REPLACING MAYBE A LOT OF THE WINDOWS JUST TO KEEP THAT FROM RECURRING, BUT THAT WAS A CASE WHERE I YOU KNOW, I WANTED HISTORIC ZONING I HAD HISTORIC ZONING. I WANT TO MAINTAIN IT. IT'S STILL THERE NOW, BUT BECAUSE I HAD SOME WOOD ROT ON A WINDOW IN SOME FORM OR FASHION I GUESS THE REGULATORY STICK WAS THAT THAT COULD BE TAKEN AWAY FROM ME IF I DIDN'T, YOU KNOW, DO RIGHT FOR THE BUILDING AND DIDN'T FIX THAT WINDOW. SO I GUESS I WANT TO CORRECT ME IF I'VE MISCHARACTERIZED THAT.

OKAY.

MAYOR WYNN: SO I WANT TO SORT OF THINK THROUGH THE LOGISTICAL CHALLENGES OF A HOME LIKE THIS WHERE, YOU KNOW, IT CLEARLY JUST HAS A LOT MORE PROBLEMS THAN YOU KNOW, THAN MY BUILDING HAD. AND IF THE SO SAY YOU ZONE IT HISTORIC AND THERE'S YOU KNOW, THERE'S EITHER NO ATTEMPT AT ALL OR EVEN WITH AN ATTEMPT IT STILL DOESN'T MEET, YOU KNOW, I GUESS THE CITY'S HISTORIC STANDARDS, YOU KNOW I GUESS I'M JUST TRYING TO THINK THROUGH THE

RIGHT.

MAYOR WYNN: THE SORT OF LOGIC. IF I DIDN'T WANT HISTORIC ZONING ON MY BUILDING ON SIXTH STREET, I GUESS I'D EITHER APPLY FOR A ZONING CHANGE, AND MY INSTINCT IS THAT WOULD BE DENIED, BECAUSE IT'S A IT'S A SUBSTANTIALLY CONTRIBUTING BUILDING ON SIXTH STREET, AND SO WOULD I HAVE THE INCENTIVE TO, YOU KNOW, LET IT FALL INTO DISREPAIR IN ORDER TO HAVE THE HISTORIC ZONING REMOVED? I JUST WANT TO UNDERSTAND THAT DYNAMIC WHEN IT COMES TO A HOME THAT, YOU KNOW,, FOR WHATEVER REASONS, THE OWNER, YOU KNOW, EITHER DOESN'T HAVE THE INCENTIVE OR THE TIME OR THE WHEREWITHAL TO BEGIN THE REPAIRS AND/OR MAINTAIN THE HOME THAT WE WOULD LIKE TO SEE MAINTAINED THERE.

RIGHT. ACTUALLY, MR. MAYOR, LET ME GO THROUGH WHAT OUR PROCESS IS. FOR EVERY HOUSE DESIGNATED HISTORIC, WE INSPECT THAT HOUSE, WE INSPECT THOSE BUILDINGS EVERY SINGLE YEAR. THE THREAT IS NEVER TO REMOVE THE HISTORIC STATUS FROM THE BUILDING, BUT BECAUSE HISTORIC LANDMARKS ENJOY OR ARE ELIGIBLE FOR A PROPERTY TAX EXEMPTION, WE WOULD RECOMMEND IF SOMEBODY WAS REALLY LETTING A HISTORIC LANDMARK GO, WE WOULD RECOMMEND TO THE HISTORIC LANDMARK COMMISSION THAT THEY NOT BE ELIGIBLE FOR THAT PROPERTY TAX EXEMPTION FOR THAT YEAR. THE WHOLE PURPOSE BEHIND OUR INSPECTIONS IS TO BE PROACTIVE AND TO HELP PROPERTY OWNERS IDENTIFY PROBLEMS BEFORE THEY GET SO BAD THAT THEY THAT YOU'RE GOING TO LOSE HISTORIC FABRIC ON A BUILDING. SO IF WE IDENTIFY BROKEN WINDOWS OR ROTTING WOOD OR A LOT OF TIMES WE SEE DOWNSPOUTS THAT ARE PUTTING THE WATER BACK UNDER THE BUILDING, WHICH CAN LEAD TO A LOT OF PROBLEMS, AND IT'S A VERY SIMPLE THING TO FIX. SO THE PURPOSE OF OUR LETTERS IS TO IDENTIFY THOSE CIRCUMSTANCES AND SITUATIONS TO PROPERTY OWNERS SO THEY HAVE AN OPPORTUNITY TO FIX THEM. WE HAVE NEVER HAD A PERSON OR A PROPERTY OWNER COME IN AND OR A PROPERTY OWNER COME IN AND SAY I'M JUST NOT GOING TO DO IT. MOST PEOPLE ARE VERY CONCERNED ABOUT MAINTAINING THE HISTORIC BUILDINGS BECAUSE THEY REALIZE THAT THEY'RE RESPONSIBLE NOT JUST FOR THEIR OWN PROPERTY BUT, REALLY, TO THE ENTIRE TO THE ENTIRE CITY.

MAYOR WYNN: RIGHT. SO I GUESS THE THREAT TECHNICALLY THEN I HOPE I DIDN'T MISCHARACTERIZE IT. SO THE THREAT THEN IS JUST A FINANCIAL ISSUE OF THE REDUCTION ON YOUR TAXES

RIGHT.

MAYOR WYNN: IT WOULDN'T BE TO REMOVE ZONING.

CORRECT.

MAYOR WYNN: OKAY.

AND THE INSPECTION THE STANDARDS FOR THE INSPECTION THAT WE USE ARE MINIMUM BUILDING STANDARDS. SO AS LONG AS SOMETHING IS MEETING CODE, THEN IT WILL BE PASSED. NOW, THERE ARE CERTAIN THINGS THAT YOU KNOW, THAT WE CAN IDENTIFY JUST THROUGH OUR EXPERIENCE IN MAKING THESE INSPECTIONS THAT WILL HELP A PROPERTY OWNER PRESERVE AND MAINTAIN THEIR PROPERTY FOR A LONGER TIME WITHOUT HAVING TO DO EXPENSIVE REPAIRS LATER ON DOWN THE ROAD.

MAYOR WYNN: OKAY. COUNCIL MEMBER SHADE?

SHADE: ON THE ISSUE OF WHAT WE'VE BEEN ASKING ABOUT THE PRESERVATION PLAN, THE RESTORATION PLAN, CAN YOU TELL ME WHAT THAT IS? BECAUSE I KNOW THERE'S SOME CONFUSION ABOUT THAT. WHAT IS THAT AND HAS THAT ALWAYS BEEN THE CITY POLICY OR

YES, YES.

SHADE: IT'S ALWAYS BEEN? OKAY. YES, YOU CAN TELL ME MORE ABOUT IT OR

YES, AND YES I WILL.

SHADE: AND I'M SUPPOSED TO GET SOME AIR TIME HERE. I WANT MY FACE ON THE TV SO I CAN SAY HELLO TO MY SON. HI, ETHAN. I LOVE YOU. [LAUGHTER]

SHADE: OKAY. I JUST GOT A TEXT TELLING ME TO DO THAT, SO

A PRESERVATION PLAN IS NOT WELL, IT'S A TECHNICAL TERM. IT'S REALLY A PLAN TO RESTORE A HOUSE, OR A BUILDING, AND IT WOULD BE USING DOCUMENTARY EVIDENCE THROUGH PHOTOGRAPHS, PHYSICAL EVIDENCE OF THINGS ACTUALLY ON THE HOUSE, AND THEN IF IT WERE A HISTORIC LANDMARK IT WOULD HAVE TO GO THROUGH THE LANDMARK COMMISSION FOR A CERTIFICATE OF APPROPRIATENESS TO MAKE SURE THAT THE PROPOSED RESTORATION MEETS THE SECRETARY OF INTERIOR'S STANDARDS AND DOESN'T ADD SOMETHING OR REMOVE SOMETHING THAT IS INTEGRAL TO THE CHARACTER OF THE HOUSE. SO IT'S IT'S NOT A PRESERVATION PLAN LIKE A PLANNING TOOL. IT'S REALLY A PLAN FOR RESTORATION OR PRESERVATION.

SHADE: I THINK THAT'S ONE OF THE OTHER THINGS THAT I REALLY LEARNED FROM

INVOLVEMENT IN THIS PROCESS, IS THAT, YOU KNOW, I'VE MET MANY NEIGHBORS WHO HAVE TAKEN GREAT STEPS, AND OBVIOUSLY HAVE A LOT OF LOVE FOR, YOU KNOW, THE EFFORT THEY PUT INTO IT, AND CLEARLY, REGARDLESS OF THE ZONING FOR A HOUSE TO BE RESTORED, THERE HAS TO BE A WILLINGNESS AND AN INTEREST TO DO IT, THEN. THANK YOU. AND I LOVE YOU, ETHAN. I'LL BE HOME SOON.

MAYOR WYNN: FURTHER QUESTIONS OF STAFF OR ANYBODY ELSE? COMMENTS? MOTIONS? COUNCIL MEMBER SHADE?

SHADE: MAKE A MOTION THAT ON FIRST READING WE APPROVE THE HISTORIC ZONING.

MAYOR WYNN: WE HAVE A MOTION AND A SECOND ON THE TABLE TO CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY CASE NO. 71 IT WAS POSTED AS HISTORIC ZONING. SO APPROVE PLANNING COMMISSION RECOMMENDATION WOULD BE THE MOTION. CORRECT, MR. GUERNSEY? RIGHT. COMMENTS, COUNCIL MEMBER SORRY, YOU HAVE MOTION AND SECOND ON THE TABLE. COMMENT? COUNCIL MEMBER COLE.

COLE: I JUST WANT TO THANK THE PEOPLE WHO HAVE WORKED SO HARD, AND COUNCIL MEMBER SHADE, FOR HER CONTINUED EFFORT TO TRY TO BRING THIS TO RESOLUTION. I PLAN ON SUPPORTING THIS MOTION BECAUSE I'M VERY FAMILIAR WITH THE AREA AND KNOW THAT THERE ARE MANY HISTORIC HOMES AND A LITTLE BIT ABOUT THE HISTORY OF HYDE PARK THAT NEEDS TO BE MAINTAINED.

MAYOR WYNN: COUNCIL MEMBER MORRISON?

MORRISON: I'M SUPPORTIVE OF THIS MOTION TOO AND I APPRECIATE EVERYBODY'S EFFORTS AND ALL THE TIME AND ENERGY THAT'S GONE INTO LOOKING FOR ALTERNATIVES, AND I HOPE THAT THOSE CONVERSATIONS, AND I BELIEVE THEY PROBABLY WILL THAT THEY CAN CONTINUE SO THAT PERHAPS WE CAN FIND AN EVEN BETTER RESOLUTION THAN THIS.

MAYOR WYNN: AGAIN, A MOTION AND SECOND ON THE TABLE, FIRST READING ONLY, FOR THE HISTORIC ZONING. FURTHER COMMENTS? I GUESS MY ONLY COMMENT IS, JUST THINKING OUT LOUD, THE TIMING, AND SO WE'RE TAKING ACTION ON FIRST READING. I MEAN, CLEARLY PEOPLE WOULD LOVE TO SEE THIS HOME RESTORED, OR VERY ARE VERY RESPECTFUL OF THE REMARKABLE JOB THAT HAS OCCURRED OVER THE YEARS IN HYDE PARK, BUT THIS CASE BEING SOMEWHAT UNIQUE IN THAT IT'S THE CITY BRINGING FORTH THE HISTORIC ZONING CASE, THERE ARE I DON'T THINK THERE WAS A YOU KNOW, AN IMMEDIATE SORT OF REDEVELOPMENT PLAN, EITHER A RESTORATION OF THE HOUSE OR A REDEVELOPMENT PLAN, AS FAR AS I KNOW, OF THE LOT, JUST SORT OF THINKING ABOUT OUT LOUD AS TO WHEN WHETHER WE GIVE DIRECTION TO STAFF AS TO WHEN THEY MIGHT COME BACK FOR SECOND OR THIRD READING OR, YOU KNOW, HOW MUCH DIRECTION WE

GIVE STAFF TO TRY TO CONTINUE THIS EFFORT. COUNCIL MEMBER SHADE?

SHADE: YEAH, I THINK WE SHOULD TRY TO, YOU KNOW, BRING THIS BACK AS QUICKLY AS POSSIBLE, AND FROM TALK BEING TO STAFF IN BETWEEN, YOU KNOW, THE BREAK, IT SOUNDS TO ME LIKE THEY FEEL LIKE THEY COULD GET THE ORDINANCE DONE BY THE 23RD, AT THE EARLIEST, AND I THINK THAT'S PROBABLY WHAT WE SHOULD SHOOT FOR, AND IF THEY DON'T GET IT DONE, LET US KNOW SOON ENOUGH SO WE CAN LET ALL THE PEOPLE KNOW HERE WHO ARE WAITING TO GET SOME CLOSURE FOR THIS.

MAYOR WYNN: MOTION AND SECOND ON THE TABLE, HISTORIC ZONING, CASE 71. FURTHER COMMENT? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: OPPOSED? MOTION PASSES ON FIRST READING ONLY ON A VOTE OF 6 0 WITH MAYOR PRO TEM OFF THE DAIS. MR. SADOWSKY?

THANK YOU, SIR. WE'LL BRING THAT BACK ON THE 23RD.

MAYOR WYNN: THANK YOU. LET'S SEE, MR. GUERNSEY, I THINK WE HAD A SUGGESTION OF AN ADDITIONAL POSTPONEMENT ON OUR EAST AVENUE PUD, CORRECT?

GUERNSEY: YES, THE APPLICANT'S AGENT CAME TO ME AND ASKED THAT THEY ACTUALLY HAD AN AGREEMENT FOR A LITTLE BIT MORE TIME THAN APRIL 2. THIS IS THE EAST AVENUE PUD, ITEM NO. 75, AND SO THEY WOULD ASK THAT IT BE RECONSIDERED. INSTEAD OF POSTPONING IT AS YOU HAVE ALREADY TO APRIL 2, TO POSTPONE IT TO APRIL 23 TO ALLOW ADDITIONAL TIME. OTHERWISE, WE'LL BRING THIS ITEM BACK ON THE 2ND AND THEN YOU'RE GOING TO HAVE THE PARTIES COME BACK DOWN HERE AND ASK FOR ANOTHER POSTPONE HIM.

MAYOR WYNN: SO YOU WOULD CHARACTERIZE THIS AS BOTH A NEIGHBOR AND

GUERNSEY: BOTH SIDES HAVE AGREED TO CONTINUE THIS FOR A LONGER PERIOD OF TIME, AND THEY'D USE THE EFFORT NEXT WEEK

MAYOR WYNN: ENTERTAIN A MOTION TO RECONSIDER OUR VOTE ON ITEM NO. 75. MOTION MADE BY COUNCIL MEMBER MORRISON, THAT I'LL SECOND. ALL IN FAVOR OF THE RECONSIDERATION, PLEASE SAY AYE.

AYE.

MAYOR WYNN: OPPOSED? MOTION TO RECONSIDER PASSES ON A VOTE OF 6 0 WITH THE MAYOR PRO TEM OFF THE DAIS. I'LL NOW ENTERTAIN A MOTION, COUNCIL, TO POSTPONE

ITEM NO. 75, THE EAST AVENUE PUD UNTIL THURSDAY, APRIL 23, 2009. SO MOVED BY COUNCIL MEMBER MORRISON, SECONDED BY COUNCIL MEMBER LEFFINGWELL. ALL IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION TO POSTPONE ITEM 75 TO APRIL 23 PASSES ON A VOTE OF 6 0 WITH THE MAYOR PRO TEM OFF THE DAIS.

GUERNSEY: THANK YOU, MAYOR AND COUNCIL. THAT WOULD BRING US TO THE NEXT ITEM ON OUR AGENDA WHICH IS ITEM NO. 69. THIS IS CASE NPA 2008 0013.01. THIS IS AT 706 WEST OLTORF STREET, AND BEFORE I START, MAYOR, I WANTED TO KNOW IF THE APPLICANT OR AN AGENT FOR THE OKAY. WE JUST WANTED TO MAKE SURE THEY WERE HERE. THIS IS A REQUEST TO AMEND THE BOULDIN CREEK NEIGHBORHOOD PLAN, ELEMENT OF THE AUSTIN TOMORROW COMPREHENSIVE PLAN, TO CHANGE THE LAND USE DESIGNATION ON THE FUTURE LAND USE MAP FROM HIGH DENSITY SINGLE FAMILY TO NEIGHBORHOOD MIXED USE. THIS TRACT IS LOCATED ON OLTORF STREET, AND IT'S APPROXIMATELY ABOUT 6,000 SQUARE FEET IN SIZE. THE DESIGNATION WOULD AGAIN CHANGE THIS TO A MIXED USE OFFICE DESIGNATION. THIS IS NOT A ZONING CHANGE. IT WOULD CHANGE THE FUTURE LAND USE MAP THAT WOULD ALLOW FOR AN OFFICE USE ON THE PROPERTY. THE PROPERTY OWNER HAS INDICATED A DESIRE TO ESTABLISH A LAW PRACTICE OR A LAW OFFICE ON THIS PROPERTY. THE PLANNING COMMISSION'S RECOMMENDATION WAS TO DENY THE REQUEST AS WELL AS STAFF'S. THE AMENDMENT WAS ALSO CONSIDERED BY THE BOULDIN CREEK NEIGHBORHOOD PLANNING CONTACT TEAM AND WAS NOT SUPPORTED BY THEM, NOR THE GLENDALE ELEMENTARY ASSOCIATION AND THE DAWSON NEIGHBORHOOD ASSOCIATION REGARDING THIS PLAN AMENDMENT. THIS AREA THAT IS LOCATED ALONG OLTORF STREET IN THE NEIGHBORHOOD PLAN HAD DESIGNATED THIS FOR HIGHER DENSITY SINGLE FAMILY RESIDENTIAL. THIS WOULD BE TO ALLOW TOWNHOUSES, CONDOMINIUM TYPE USES. THE AREAS THAT WERE FURTHER NORTH BEYOND THIS FIRST ROW OF LOTS ALONG OLTORF WAS CONSIDERED FOR SINGLE FAMILY. I THINK AT THIS TIME I'LL PAUSE. IF YOU HAVE ANY QUESTIONS I'LL BE HAPPY TO ANSWER THEM AT THIS TIME. SCOTT OGLE IS HERE TO SPEAK FOR THIS AND I BELIEVE YOU MAY HAVE ONE OR TWO CITIZENS SIGNED UP IN ADDITION.

MAYOR WYNN: THAT WE DO, CORRECT. WE HAVE A COUPLE FOLKS WISHING TO GIVE US TESTIMONY. SO WITHOUT OBJECTION, COUNCIL NO QUESTIONS OF STAFF YET, WE WILL NOW CONDUCT OUR PUBLIC HEARING ON THIS ITEM NO. 69, 706 WEST OLTORF. WE WILL FIRST HEAR FROM THE AGENT OR OWNER APPLICANT, MICHAEL SCOTT OGLE. WE'LL SET THE CLOCK FOR FIVE MINUTES AND WE'LL HEAR FROM MR. OGLE AND THEN WE'LL HEAR FROM FOLKS IN SUPPORT OF THE ZONING CASE AND THEN FOLKS IN OPPOSITION, AND OUR AGENT WILL HAVE A CHANCE FOR FURTHER COMMENT OR REBUTTAL. WELCOME, SCOTT.

GOOD AFTERNOON. WELL, YES, I HAVE BEEN I HAVE BEEN MET WITH OPPOSITION FROM

THE BEGINNING ON TRYING TO GET THIS REZONED. I PURCHASED THE PROPERTY WITH THE INTENT OF OPENING UP A SMALL OFFICE WITH THE I BOUGHT THE PROPERTY FROM A REAL ESTATE AGENT WHO ASSURED ME THAT IT WOULD BE VERY EASY TO GET IT REZONED, AND I HAVE LEARNED OTHERWISE. BUT THE PURPOSE OF ME GOING TO THE NEIGHBORHOOD ASSOCIATION AND SPEAKING WITH THEM WAS TO GET THEIR OPINIONS, AND THEIR POSITION IS THAT OLTORF SHOULD REMAIN RESIDENTIAL. AND WHILE I CAN RESPECT THAT, THERE IS THERE HAS BEEN ENCROACHMENT OF COMMERCIAL PROPERTY ON OLTORF. THEIR MAIN CONCERN IS THE INCREASED TRAFFIC THAT OLTORF WOULD BRING THAT MY PROPERTY WOULD BRING ON OLTORF. AND WITH OLTORF BEING AN ARTERIAL ROAD, I REALLY FEEL THAT IT WOULD BE THAT THE IMPACT OF HAVING A SOLO PRACTITIONER WITH TWO EMPLOYEES WOULD BE MINIMAL TO THE TRAFFIC THAT'S ALREADY THERE ON OLTORF. FURTHERMORE, I EXPRESSED MY INTEREST IN REFURBISHING WHAT IS NOW A CONDEMNED, BURNED OUT SHELL OF A HOUSE THAT HAD GRAFFITI ON IT WHEN I PURCHASED IT, AND TO MAINTAIN THE RESIDENTIAL MAINTAIN A RESIDENTIAL LOOKING PROPERTY TO INCREASE THE VALUE OF THE HOUSE AND THE NEIGHBORHOOD. AND I DIDN'T BRING I DIDN'T SPEND THE MONEY, QUITE FRANKLY, ON AN ARCHITECTURAL RENDERING SIMPLY BECAUSE THE OPPOSITIONS I HAVE IS NOT CONCERNED ABOUT WHAT I WOULD PUT ON THERE. THEIR MAIN CONCERN IS THE INCREASED TRAFFIC. AND WHILE I'M MORE THAN WILLING TO ABIDE BY WHATEVER RESTRICTIONS CITY COUNCIL MAY WANT TO PLACE ON WHAT I INTEND TO DO TO TEAR DOWN WHAT'S THERE AND TO REBUILD A NEW STRUCTURE, I WAS ENCOURAGED TO MAKE IT A HOME OFFICE, AND WITH THAT AS A HOME OFFICE, APPARENTLY IF YOU LIVE THERE, YOU DON'T HAVE TO DO THE ZONING CHANGE. AND AS A LAWYER, I HOPE YOU CAN RESPECT THE FACT THAT I REPRESENT PARTIES WHO AT THE END OF THE DAY THERE IS USUALLY ONE LOSER, ALONG WITH A WINNER IN A LEGAL CONFLICT, AND IT'S GENERALLY A RULE OF THUMB FOR LAWYERS NOT TO LIVE IN THE HOUSE THAT YOU WORK IN. YOU MAKE YOU MAKE YOURSELF AN EASY TARGET. AND SO FOR THAT REASON I DO LIVE AWAY FROM MY OFFICE. I DON'T INTEND ON LIVING IN THE OFFICE. AND, IN FACT, I'VE BEEN TOLD THAT THERE IS A 20% THERE IS A LIMIT ON A HOME OFFICE WHERE YOU LIVE IN AN OFFICE OR LIVE IN A HOME AND WORK OUT OF YOUR OFFICE WHERE YOU'RE LIMITED TO OWN, I BELIEVE, 20% OF THE SQUARE FOOTAGE OF WHAT YOU ARE OF YOUR LIVING SPACE. SO IT'S IMPRACTICAL FOR ME TO HAVE ANYTHING OTHER THAN AN OFFICE THAT IS WITH THE PRIMARY PURPOSE OF IT BEING AN OFFICE RESIDENCE ON BEING A RESIDENTIAL HOUSE. HOWEVER, I WOULD EXPECT TO BUILD A RESIDENTIAL LOOKING STRUCTURE, AND WE ARE THE NUMBER OF EMPLOYEES THAT I HAVE, TWO, THERE WOULD BE THREE VEHICLES GOING BACK AND FORTH, AND, IN FACT, WE'RE GONE, ON THE WEEKENDS AND AFTER 5:00. AND SO WHILE IT'S ZONED SF 6 FOR TOWNHOMES, I WOULD THINK THAT THE IMPACT OF A SMALL OFFICE WOULD ACTUALLY BE LESS, SEEING THE FACT THAT I WOULD ONLY BE THERE BETWEEN 8:00 AND 5:00 THAN IT WOULD IF IT WERE BUILT FOR IF THERE WAS A TOWNHOUSE BUILDING THERE. SO WITH THAT IN MIND, I I UNDERSTAND I HAVE FAILED MISERABLY EVERY STEP OF THE WAY IN TRYING TO GET PEOPLE TO SEE MY WAY IN REGARD TO WHAT I INTEND TO DO WITH THE HOUSE, BUT ONE LAST POINT IS THAT THERE IS A COMMERCIAL PROPERTY DIRECTLY

ACROSS THE STREET. THERE IS COMMERCIAL PROPERTIES ON EITHER SIDE. THERE'S A LAWYER'S OFFICE CATTY CORNER. THERE'S A PAWNSHOP ON I BELIEVE 2ND STREET. I'M ON 3RD AND OLTORF. AND WHILE THE NEIGHBORHOOD HAS THERE'S BEEN APPROVAL FOR THE LAW OFFICE THAT'S CATTY CORNER ACROSS THE STREET, AND THAT WAS APPROVED TWO OR THREE YEARS AGO. THE NEIGHBORHOOD'S POSITION IS THAT THEY DON'T WANT ANY ENCROACHMENT OF ANY MORE ANY MORE COMMERCIAL PROPERTIES. AND I SIMPLY ASK THAT YOU RECONSIDER THEIR POSITION AND APPROVE MY APPLICATION.

MAYOR WYNN: THANK YOU, MR. OGLE. QUESTIONS FOR OUR OWNER APPLICANT, COUNCIL? ALL RIGHT. THANK YOU, SCOTT. YOU'LL HAVE A CHANCE TO GIVE US ADDITIONAL TESTIMONY HERE IN A FEW MINUTES. LET'S SEE. SO WE HAVE, I KNOW, FOLKS SIGNED UP IN SUPPORT OF THE ZONING CASE. WE DO HAVE A COUPLE OF FOLKS SIGNED UP IN OPPOSITION. IS BRADFORD PATTERSON HERE? WELCOME, MR. PADDER SON. YOU WILL HAVE THREE MINUTES TO BE FOLLOWED BY ERIC RAGEF.

THANK YOU, MAYOR, COUNCIL MEMBERS. MY NAME IS BRAD PATTERSON. I'M HERE REPRESENTING THE BOULDIN CREEK NEIGHBORHOOD ASSOCIATION AND I AM ALSO VICE CHAIR OF THE BOULDIN NEIGHBORHOOD PLANNING TEAM. AND I WOULD LIKE TO SAY, APPARENTLY I SPOKE TO THE APPLICANT JUST PRIOR TO HIS PURCHASE, AND APPARENTLY GAVE HIM SLIGHTLY DIFFERENT ADVICE THAN HIS AGENT, THE REAL ESTATE AGENT THAT HE WAS BUYING FROM, BECAUSE WE PREDICTED BASED ON PAST ISSUES, INCLUDING THAT HOUSE ACROSS THE STREET THAT WAS CONVERTED TO AN OFFICE, WHICH IS ACTUALLY IN A DIFFERENT NEIGHBORHOOD ASSOCIATION, THAT THIS WOULD BE A CONCERN TO US. BASICALLY THIS SECTION OF OLTORF ON BOTH THE NORTH AND SOUTH SIDE OF THE STREETS IS ESSENTIALLY ALL RESIDENTIAL, AND THAT'S WHAT THE BOULDIN NEIGHBORHOOD PLAN CALLED FOR, ACTUALLY UP ZONED TO A HIGHER DENSITY TRYING TO RECOGNIZE THE FACT THAT IT IS A HEAVILY TRAVELED STREET. AND THEN JUST OFF TO EITHER SIDE OF THAT ARE SINGLE FAMILY I THINK SF 3 PROPERTIES. THERE ARE SOME NODES OF COMMERCIAL ALONG OLTORF, BUT THE ANOMALY IS THE ONE ACROSS THE STREET THAT BECAME A LAW OFFICE, AND THAT WAS A NUMBER OF YEARS AGO, AGAINST NEIGHBORHOOD OPPOSITION, IT WAS REZONED TO ALLOW IT TO BE A LAW OFFICE. SO WE HAVE A CONCERN THAT WE GO THROUGH ALL THIS EFFORT FOR A NEIGHBORHOOD PLAN TO POTENTIALLY HAVE IT DISREGARDED. AND IN THIS PARTICULAR CASE WE DON'T THINK THERE'S ANY UNIQUE CIRCUMSTANCES ABOUT THIS PARCEL SIZE OR ITS LOCATION TO JUSTIFY GOING AGAINST THE NEIGHBORHOOD PLAN AND THEN ULTIMATELY THE BOULDIN CREEK NEIGHBORHOOD ASSOCIATION OPINION, WHICH IS JUST AN OPINION, THE OTHER NEIGHBORHOOD ASSOCIATION, WHO ARE ON THE SOUTH SIDE OF STREET AND HAVE SUPPORTED THE SAME IDEA THAT WE HAVE RESIDENTIAL IN THIS SECTION. SO WE'D LIKE TO SEE THAT SUPPORTED. WE THINK THERE'S PLENTY OF COMMERCIAL PROPERTY ON ALL OF OUR CORE TRANSIT CORRIDORS WHERE WE ACCEPTED VMU, AND WE THINK THAT IT'S JUST ONCE IT STARTS GOING COMMERCIAL, ONE HOUSE GOES, THEN THE NEXT HOUSE GOES, THEN THE NEXT HOUSE GOES. IT MAY TAKE YEARS, BUT THAT'S THE CONCERN, MUCH LESS THAN TRAFFIC, IT'S THAT THIS IS A RESIDENTIAL STREET IN THIS SECTION, AND

WE'D LIKE IT TO STAY THAT WAY AND THAT'S WHAT THE NEIGHBORHOOD PLAN CALLED FOR. SO WE URGE THAT YOU SUPPORT THE STAFF RECOMMENDATION AS WELL AS THE PLANNING COMMISSION RECOMMENDATION. THANK YOU.

MAYOR WYNN: THANK YOU, MR. PATTERSON. EXCUSE ME. ERIC RAJES, SORRY IF I MISPRONOUNCE THAT, ERIC. YOU TOO WILL HAVE THREE MINUTES.

THANK YOU, MAYOR WYNN, COUNCIL MEMBERS, MY NAME IS ERIC RAJEF, I LIVE IN THE BOULDIN CREEK NEIGHBORHOOD ABOUT 200 FEET FROM THE SUBJECT PROPERTY. I'M SPEAKING IN OPPOSITION TO THE BARTON SPRINGS NEIGHBORHOOD PLAN. I ATTENDED THE NEIGHBORHOOD MEETING IN APRIL OF 2008 WHERE THE NEIGHBORHOOD ATTENDEES WERE UNANIMOUSLY OPPOSED TO THIS, THE NEIGHBORHOOD PLAN. THE CITY OF AUSTIN, TO ITS CREDIT, HAVE DEVELOPED A PROCESS WHEREBY CITIZENS CAN INFLUENCE DEVELOPMENT IN THEIR NEIGHBORHOODS. THIS NEIGHBORHOOD PLANNING PROGRAM THAT WE HAVE, AND THIS PROPOSED AMENDMENT I THINK WOULD UNDERMINE THAT VERY SUCCESSFUL PROCESS. I WON'T GET INTO SPECIFIC DETAILS CONTRASTING WHAT MR. OGLE SAID. I'LL JUST GO ON TO SAY THAT I WOULD ASK THE COUNCIL TO HONOR THE NEIGHBORHOOD PLANNING PROCESS, TO HONOR THE STAFF RECOMMENDATION, TO DENY THE AMENDMENT TO OUR NEIGHBORHOOD PLAN, TO HONOR THE PLANNING COMMISSION'S RECOMMENDATION TO DENY THIS AMENDMENT, AND TO HONOR THE WISHES OF THE RESIDENTS OF THE BOULDIN CREEK NEIGHBORHOOD WHO SUPPORT THE CURRENT ZONING, WHICH HAS ALREADY BEEN APPROVED BY THE AUSTIN CITY COUNCIL. THANK YOU.

MAYOR WYNN: THANK YOU, ERIC. LET'S SEE. SO COUNCIL, THAT'S ALL THE FOLKS HERE WHO HAVE SIGNED UP TO GIVE US TESTIMONY IN OPPOSITION. WE NOW OFFER A THREE MINUTE REBUTTAL, ADDITIONAL TESTIMONY PERIOD FOR OUR APPLICANT, MR. OGLE. SCOTT, IF YOU HAVE ANY ADDITIONAL THOUGHTS OR YOU'VE HEARD ANYTHING YOU MIGHT WANT TO, YOU KNOW, REBUT OR OKAY. WELL, THANK YOU, SCOTT. SO, COUNCIL, THAT CONCLUDES THE THE TESTIMONY PART OF THIS PUBLIC HEARING. QUESTIONS? COMMENTS? YES, MR. GUERNSEY, IF I CAN JUST MAKE SURE I HAVE THIS CORRECT. SO BOTH THE PLANNING COMMISSION AND THE STAFF RECOMMENDATION WAS FOR DENIAL?

GUERNSEY: THAT'S CORRECT.

MAYOR WYNN: AND SO THE CURRENT TRACK THAT'S CURRENTLY SHOWN ON THE FUTURE LAND USE MAP, AS WE HEARD EARLIER, HIGH DENSITY SINGLE FAMILY. WHAT IS THE ACTUAL ZONING OF THE TRACT RIGHT NOW?

GUERNSEY: I BELIEVE THE ACTUAL ZONING OF THE PROPERTY IS SF 6. SF 6 NP.

MAYOR WYNN: SO WE DID THE REZONING ALONG WITH THE FUTURE LAND USE MAP, THE NEIGHBORHOOD PLAN.

GUERNSEY: WE DID. AND THIS AREA, THE NORTH SIDE OF OLTORF IS AN ADOPTED NEIGHBORHOOD PLANNING AREA. THE AREA TO THE SOUTH IS A PENDING NEIGHBORHOOD PLANNING AREA. THEY HAVE NOT YET HAD THE OPPORTUNITY OF HAVING A NEIGHBORHOOD PLAN ADOPTED, SO THERE IS A DISTINCTION ON THE NORTH VERSUS THE SOUTH SIDES OF THE STREET, BECAUSE ONE DOES HAVE AN ADOPTED NEIGHBORHOOD PLAN.

MAYOR WYNN: RIGHT. REMIND ME, SO ON WHAT WHAT I CALL A RELATIVELY SMALL LOT, 6,000 SQUARE FEET, IF I REMEMBER CORRECTLY, WITH SF 6 OR HIGH DENSITY SINGLE FAMILY ZONING, YOU KNOW, IN PRACTICAL TERMS, WHAT GETS BUILT ON IF SOMEONE TRIES TO OPTIMIZE, YOU KNOW, THE DEVELOPMENTABILITY

GUERNSEY: REALLY IN ORDER TO DEVELOP A PROPERTY PROBABLY TO THE POTENTIAL OF THE FS 6, IT WOULD REALLY NEED AN ADDITIONAL LOT, LOT NEXT DOOR, TO BE BOUGHT AND DEVELOPED AT THE SAME TIME, BECAUSE IT'S A SMALL SIZE, OF ONLY BEING ABOUT 6,000 SQUARE FEET. SO IN ORDER TO UTILIZE THAT POTENTIAL YOU WOULD HAVE TO PROBABLY CONTACT THE OWNER AND DEVELOP THE NEIGHBORING LOT AND THIS LOT TOGETHER IN ORDER TO TAKE ADVANTAGE OF THAT.

MAYOR WYNN: BUT ON A BUT YOU CAN ALSO DEVELOP ANY SINGLE FAMILY USE UP TO SF 6, CORRECT? YOU COULD DO A SINGLE FAMILY HOME, A DUPLEX

GUERNSEY: THE LOT IS A LITTLE SMALL FOR A DUPLEX AS WELL. YOU NEED AT LEAST 7,000 SQUARE FEET TO DEVELOP A DUPLEX. YOU COULD DEVELOP IT AS A SINGLE FAMILY HOME, AND AS YOU STATED, HE COULD ACTUALLY DO WHAT'S CALLED A HOME OCCUPATION. HE COULD NOT ADVERTISE THAT USE AND COULD NOT MAKE ALTERATIONS TO THE BUILDING, BUT HE COULD DO THAT. HE WOULD NOT NECESSARILY HAVE TO LIVE THERE. HE COULD ACTUALLY IT COULD ACTUALLY BE A DIFFERENT INDIVIDUAL LIVING IN THE HOME OCCUPATION, BUT HE WOULDN'T BE ABLE TO ADVERTISE IT AS SUCH.

MAYOR WYNN: RIGHT. ON SITE SIGNAGE.

GUERNSEY: THAT'S CORRECT.

MAYOR WYNN: YOU COULD ADVERTISE IN THE YELLOW PAGES. YOU COULDN'T HAVE A SIGN IN THE FRONT YARD?

GUERNSEY: THAT'S RIGHT. YOU WOULDN'T BE ABLE TO ADVERTISE ON THAT PROPERTY.

MAYOR WYNN: COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: SO THIS IS A REQUEST TO CHANGE THE FUTURE LAND USE MAP BUT NOT

THE ZONING; IS THAT CORRECT?

GUERNSEY: THAT'S CORRECT.

LEFFINGWELL: SO IF YOU CHANGED IT YOU'D STILL BE ZONED SF 6, RIGHT?

GUERNSEY: THAT'S CORRECT, AND I THINK WHAT SCOTT HAD MENTIONED, THAT HE WAS TRYING TO PURSUE THIS AS A FIRST STEP AND TO SEE IF THE FUTURE LAND USE MAP COULD BE CHANGED RATHER THAN GOING THE EXPENSE OF FILING A ZONING CHANGE, WHICH IS AN ADDITIONAL THOUSAND PLUS DOLLARS TO GO THROUGH.

LEFFINGWELL: I SEE.

MAYOR WYNN: FURTHER COMMENTS, QUESTIONS? COUNCIL MEMBER MARTINEZ.

MARTINEZ: SO I GUESS BASED ON THAT COMMENT, GREG, MAYBE AN ACCURATE ASSUMPTION WOULD BE IF WE WERE TO ADOPT THIS, EVEN THOUGH IT'S JUST A FUTURE LAND USE MAP AND NOT ZONING, IT WOULD SEND AN INDICATION TO THE APPLICANT THAT HE WOULD MORE THAN LIKELY COME BACK

GUERNSEY: AND THE STAFF RECOMMENDATION THEN MAY BE SUPPORTIVE OF A ZONING CHANGE TO AN OFFICE DISTRICT BECAUSE OF THE FUTURE LAND USE MAP BEING CHANGED.

MAYOR WYNN: FURTHER COMMENTS, QUESTIONS? MOTIONS? COUNCIL MEMBER COLE?

COLE: I MAKE A MOTION THAT WE ADOPT THE STAFF AND PLANNING COMMISSION RECOMMENDATION.

MAYOR WYNN: MOTION BY COUNCIL MEMBER COLE, SECONDED BY COUNCIL MEMBER MARTINEZ, TO CLOSE THE PUBLIC HEARING AND SORRY, WAS IT COUNCIL MEMBER SHADE, EXCUSE ME ADOPT THE PLANNING COMMISSION RECOMMENDATION OF DENYING A CHANGE TO THE FUTURE LAND USE DESIGNATION. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION TO DENY PASSES ON A VOTE OF 6 0 WITH THE MAYOR PRO TEM OFF THE DAIS.

GUERNSEY: THANK YOU, MAYOR AND COUNCIL. THAT BRINGS US TO OUR NEXT ZONING CASE. THIS IS ON NO. 72 ON THE ITEM NO. 72 ON THE AGENDA. THIS IS CASE C14 2009 0005 FOR THE PROPERTY LOCATED AT 12408 TOMANET TRAIL. THIS IS TO CHANGE THE ZONING

FROM SINGLE FAMILY RESIDENCE LARGE LOT RF 1 DISTRICT ZONING TO NEIGHBORHOOD OFFICE OR NO DISTRICT ZONING. THE PROPERTY IS JUST OVER A QUARTER OF AN ACRE AND LIES SOUTH OF PARMER LANE, ABOUT THREE LOTS OFF OF PARMER LANE. THE PROPERTY IS EXISTING EXISTING USE IS A SINGLE FAMILY FAMILY RESIDENCE. TO THE NORTH THERE'S A DAY CARE AND NO OR OFFICE ZONING. TO THE WEST OF THE PROPERTY IS COMMERCIAL GR ZONING DEVELOPED WITH A LARGE SHOPPING CENTER. TO THE EAST ACROSS TOMANET THERE'S SINGLE FAMILY HOME AND USES FARTHER TO THE SOUTH. THE PROPERTY OWNER WOULD LIKE TO DEVELOP IT WITH AN OFFICE USE ON THE PROPERTY, AND THE INTENTION IS TO GO FORWARD AND REZONE THE PROPERTY TO AN NO DISTRICT. IT WAS NOT RECOMMENDED BY OUR ZONING AND PLATTING COMMISSION. THEY RECOMMENDED DENIAL OF THE NO ZONING AS WELL AS STAFF. THE APPLICANT HAS PROVIDED A LETTER, WHICH I THINK HE'LL SPEAK TO, WHICH IS ON THE DAIS, THAT'S IN A YELLOW SHEET, AND AT THAT I THINK I'LL PAUSE AND LET DUC NGUYEN COME FORWARD AND ADDRESS YOU REGARDING THIS CASE.

MAYOR WYNN: THANK YOU, MR. GUERNSEY. QUESTIONS OF STAFF, COUNCIL? THANK YOU, GREG. SO WE I THINK WE ONLY HAVE OUR APPLICANT, AGENT/OWNER HERE. WE HAVE NO FOLKS SIGNED UP TO GIVE US TESTIMONY EITHER FOR OR AGAINST. SO WELCOME, MR. NGUYEN. NO RELATION.

GOOD AFTERNOON, AND THANK YOU, MAYOR WYNN AND ALL COUNCIL MEMBERS. MY NAME IS DUC NGUYEN. I OWN THE PROPERTY AT 12428 TOMANET. PLEASE ALLOW ME TO PRESENT MY CASE ON MY PAPER. I WISH TO REZONE MY SINGLE FAMILY RESIDENCE TO THE NEIGHBORHOOD OFFICE. THERE ARE THREE REASONS. THE FIRST ONE IS MY LONG IT WAS DENIED BY THE BANK. THE REASON FOR THIS IS BECAUSE THE LOCATION WENT BACK TO THE COMMERCIAL AREA, AND THERE ARE AROUND THEY HAD A BACK AND FORTH FOR 18 WHEEL TRUCKS GOING EVERY DAY, IN THE MORNING, AND ALSO THERE ARE DUMPSTERS, A LOT OF DUMPSTERS, BECAUSE A LOT OF DUMPSTERS OVER THERE, SO THE TRUCK DUMPSTERS COME IN AND PICK UP EVERY SINGLE DAY IN THE MORNING. PLEASE IMAGINE HOW LOUD IN THE MORNING WHILE YOU'RE SLEEPING. SO VERY NOISY. SO ACCORDING TO THAT THE LENDER DENIED BECAUSE IF THEY'RE NOT SUITABLE AND RESIDENCE HOME, BECAUSE THAT'S WHY I CANNOT HAVE THIS, AND I WAS DENIED BY WACHOVIA FOR THAT REASON. THE SECOND ONE, WITHIN THE FINAL RADIUS AROUND MY HOUSE, YOU CAN HAVE A CIRCLE AT ALMOST TWO THIRDS OF THE LAND WERE COMMERCIAL ALREADY. THERE ARE A LOT OF BUSINESSES, LIKE APARTMENT LOCATOR, QUICK CAR, KINKO, AROUND PARMER, VERY BUSY RIGHT NOW. BUSY ON PARMER STREET, AND THERE ARE ALSO NEARBY THAT AUSTIN HOSPITAL AND CLEANERS, I THINK AROUND THREE MORE, AND THEY COME UP, MEDICAL OFFICE, AROUND NOT PERMANENTLY. SO RIGHT NOW I THINK THAT PARMER IS VERY BUSY TRAFFIC RIGHT NOW. AND THIRDLY, DUE TO ECONOMY CRISIS, MY BUSINESS I'M REAL ESTATE AGENT. SO I HAD TO MOVE I COULD NOT AFFORD TO HAVE A REGULAR LOCATION IN BUSINESS, SO I HAD MOVED MY OFFICE TO MY HOME, AND I WISH I COULD REJOIN MY HOME BECOME THE OFFICE TO CONTINUE CONDUCTING MY BUSINESS. AND AS THIS WILL BE IMPROVED FOR BETTER NEIGHBOR, BUT NOT A SMALL HOUSE, ONLY ONLY

1,244 SQUARE FEET, ON A BIG LOT, SO I HAD ENOUGH PARKING SPACE, SO I CAN I CAN MAKE A PARKING LOT SO NO IMPACT THE TRAFFIC. AND I THINK THAT'S GOOD ENOUGH FOR THE REQUIREMENTS. SO I WISH MY PROPOSAL FOR REZONING CAN BE APPROVED BY ALL OF YOU. AND I REALLY APPRECIATE IT.

MAYOR WYNN: THANK YOU, MR. NGUYEN. ARE THERE ANY QUESTIONS OF MR. NGUYEN, COUNCIL? AGAIN, WE HAVE NO FOLKS SIGNED UP TO GIVE US TESTIMONY EITHER FOR

I DO HAVE MY NEIGHBOR'S SUPPORT. HIS NAME IS BILL, BUT HE'S WITH ME.

MAYOR WYNN: OKAY. THANK YOU. THAT'S GOOD TO KNOW. SO, MR. NGUYEN, THIS IS YOUR CURRENT RESIDENCE?

YES, SIR.

MAYOR WYNN: YOU LIVE ON THIS SITE?

YES, AND I'M LIVING THERE RIGHT NOW, AND BEHIND VERY NOISY.

MAYOR WYNN: WE SAW THE VISUAL. JERRY, IF WE COULD GET THAT ORIGINAL VISUAL THAT WAS UP WHEN MR. GUERNSEY WAS PRESENTING THE CASE. THANK YOU, YES.

MAYOR, I'M UNABLE TO PULL IT UP. I WAS TRYING TO TAKE A CLOSER LOOK AT ITS PROXIMITY TO PARMER LANE AND WHAT'S BETWEEN MR. NGUYEN'S PROPERTY AND PARMER LANE. WHAT IS IS THAT A SINGLE FAMILY RESIDENT LOT BETWEEN PARMER LANE AND MR. NGUYEN'S LOT? YEAH, WHAT ARE THOSE TWO LOTS RIGHT IN BETWEEN HIS AND PARMER LANE? YES.

THEY ARE OFFICE.

MARTINEZ: I BELIEVE THERE'S A DAY CARE.

YEAH, THERE'S A DAY CARE. AND THE OTHER ONE, BY PARMER, THAT'S CALLED APARTMENT LOCATOR. IT'S AN OFFICE.

MARTINEZ: OFFICE?

YES, AND OF COURSE THEY HAVE COMMERCIAL. ABOUT TWO THIRDS OF THE LAND ARE COMMERCIAL ALREADY.

MAYOR WYNN: SO MR. GUERNSEY, WHERE WE SEE ON THIS MAP THANK YOU. WHERE WE SEE DAY CARE AND NO, THAT'S TWO DIFFERENT STRUCTURES, TWO DIFFERENT

BUSINESSES, BOTH COMMERCIAL?

GUERNSEY: THERE'S A DAY CARE BETWEEN THIS LOT AND PARMER LANE.

MAYOR WYNN: I SEE THAT NO DESIGNATION. IT LOOKS LIKE IT MAY STRADDLE THE PROPERTY LINE. DOES THAT IMPLY

GUERNSEY: IF YOU KIND OF LOOK FURTHER TO THE EAST YOU'LL SEE A ROW OF NO, LR. LR CO, NO, AND IF YOU COULD CONTINUE THAT FURTHER TO THE WEST, THAT LINE TO THE NORTH OF THAT LINE IS ALL OFFICE OR NEIGHBORHOOD COMMERCIAL, AND TO THE SOUTH IS ALL SF 1. THIS WOULD BE JUST SOUTH OF THAT LINE IF YOU CONTINUE THAT LINE ACROSS.

MAYOR WYNN: YEAH, THIS IS THE NEXT

GUERNSEY: SO THIS IS RIGHT NEXT DOOR TO THE THAT'S CORRECT. DUC, I THINK, WAS REALLY TALKING ABOUT A LOT OF THE COMMERCIAL USES WHICH FRONT OUT ON TO MOPAC, AND THERE'S A LARGE H.E.B., WHICH IS JUST THAT'S JUST TO THE AS YOU'RE LOOKING AT THIS PROPERTY, WHERE IT SAYS GR, THAT I THINK JERRY IS POINTING OVER TO THAT AREA WHERE THERE'S A LARGE SHOPPING CENTER. IN THE AND THE REAR OF THAT SHOPPING CENTER ABUTS THE RESIDENTIAL HOMES ALL ALONG THERE AND THEY HAVE DUMPSTERS AND LIVING AREAS.

MAYOR WYNN: AND SO MY GUESS IS THAT'S NOT UNCOMMON, LIKE IT OR NOT, BUT PROBABLY WHEN THAT OCCURS, EITHER THIS LAND MAYBE WASN'T EVEN IN THE CITY AND SO THERE WEREN'T THE OR IT PREDATES OUR COMPATIBILITY STANDARDS. MY GUESS IS THAT WOULDN'T BE ALLOWED TODAY, RIGHT? THAT SHOPPING CENTER WOULD HAVE TO HAVE

THEY WOULD HAVE TO HAVE A 25 FOOT SETBACK FOR FOR THE DRIVEWAY, PARKING AREAS, LOADING AREAS, AWAY FROM THE RESIDENTIAL USES.

MAYOR WYNN: RIGHT. AND SO OBVIOUSLY IT JUST SEEMS TO ME, JUST INTUITIVELY THAT, YOU KNOW, THE YOU KNOW, THE RESIDENTIAL QUALITY OF LIFE OF THOSE HOMES THAT UNFORTUNATELY ARE THERE BETWEEN TOMANET AND THE REAR OF THE SHOPPING CENTER IS MEASURABLY DIFFERENT THAN, SAY, THE SINGLE FAMILY EXPERIENCE ON THE OTHER SIDE OF THE STREET, YOU KNOW, BECAUSE OF THE LACK OF COMPATIBILITY WITH THE BIG SHOPPING CENTER BEHIND.

YOU MEAN ACROSS PARMER LANE?

MAYOR WYNN: NO, ACROSS JUST THE FACT THAT THESE ALL THESE HOMES ON NORTH

GUERNSEY: THIS LOT AS WELL AS ALL THE HOMES ALL THE WAY DOWN TO ACTUALLY ALMOST ALL THE WAY DOWN TO CEDAR BEND, GOING DOWN SOUTH TO ACE PASS, AND AS YOU CONTINUE FURTHER SOUTH THERE ARE OTHER RETAIL USES ALONG THAT, AS WELL AS IF YOU WENT NORTH ACROSS PARMER LANE, YOU'VE GOT SOME SINGLE FAMILY BACKING UP TO A FIRE STATION AND SOME LARGER RETAIL USES AS WELL.

AND [INAUDIBLE]

GUERNSEY: WHAT DUC IS SAYING IS FURTHER TO THE SOUTH IS AN EXISTING HOSPITAL.

AUSTIN DIAGNOSTIC.

GUERNSEY: SOUTH OF CEDAR BEND DRIVE. AND SO HE'S SAYING THAT THE TRAFFIC FOR THE AMBULANCES SOMETIMES USE TOMANET TRAIL TO GET TO THE HOSPITAL RATHER THAN GOING ALL THE WAY AROUND.

I THINK RIGHT NOW [INAUDIBLE] FROM PARMER, TURN LEFT, A MAIN STREET TO THE HOSPITAL [INAUDIBLE]

GUERNSEY: TO AVOID MOPAC.

MAYOR WYNN: COUNCILMAN MARTIN?

MARTINEZ: THE NEIGHBOR THAT'S HERE, IS THAT THE NEIGHBOR THAT'S IMMEDIATELY SOUTH TO THE MR. NGUYEN'S LOT?

DOES HE LIVE RIGHT NEXT DOOR? SOUNDS LIKE BILL LIVES ACROSS THE STREET, ACROSS TO HIM NET AND NORTH OF GELWAY ON THE CORNER.

MAYOR WYNN: QUESTIONS, MR. GUERNSEY, SORT OF CONCEPTUALLY, I GUESS THIS LAND IS FAR ENOUGH AWAY WHERE IT'S NOT LIKELY GOING TO BE IN A NEIGHBORHOOD PLAN ANYTIME SOON, BUT IF WE WERE TO GO THROUGH IF THIS WAS GOING THROUGH A NEIGHBORHOOD PLANNING PROCESS WITH, YOU KNOW, A LOT OF STAFF AND PROFESSIONAL, YOU KNOW, HELP, WHEN WE HAD A SITUATION LIKE THIS, WHEN WE HAVE A MAJOR SHOPPING CENTER THAT'S NOT GOING TO GO AWAY ANYTIME SOON, BUILT WITHOUT COMPATIBILITY STANDARDS, AND YOU HAD THIS ONE ROW OF, YOU KNOW, SF LOTS BETWEEN IT AND TOMANET, JUST CONCEPTUALLY FROM A LAND USE, WOULD IT BE REASONABLE TO ASSUME THAT WE AS A PLANNING TEAM, AS A CITY STAFF, ULTIMATELY AS A REGULATORY BODY, WE TRY TO COME UP WITH A DIFFERENT PRODUCT OR A DIFFERENT ZONING CATEGORY AS THE NEW BUFFER, IF YOU WILL, BETWEEN THE REAR OF THAT SHOPPING CENTER AND WHAT SEEMS TO BE THE REST OF A, YOU KNOW, CONSISTENT, YOU KNOW, NEIGHBOR SINGLE FAMILY NEIGHBORHOOD BEGINNING ON TOMANET. IS THERE

GUERNSEY: THERE MAY BE A POSSIBILITY THAT STAFF MIGHT RECOMMEND A MORE, I GUESS, INTENSIVE RESIDENTIAL USE. IT WOULD PROBABLY BE UNLIKELY THAT STAFF WOULD RECOMMEND OFFICE, RETAIL USE

MAYOR WYNN: BECAUSE THE NATURE OF TOMANET AS A ROAD ITSELF.

THE NATURE OF TOMANET, AND BASICALLY IF YOU WERE LOOKING AT THIS, AND I THINK COUNCIL HAS CONSIDERED THE PROPERTY ACTUALLY NORTH OF PARMER LANE THAT'S BEHIND THE FIRE STATION AND THERE'S BEEN SEVERAL ATTEMPTS TO REZONE THAT PROPERTY BACK IN THE '90S AND EARLY 2000. WHERE THE SAME ISSUES COME UP. I LIVE RIGHT BEHIND THE FIRE STATION. IN THAT CASE WE DID HAVE NEIGHBORS THAT SHOWED UP AND THERE WAS CONCERN ABOUT GOING DOWN THE STREET AND TAKING EVERY TRACT THAT ABUTS A COMMERCIAL ON THE BACK SIDE AND ZONING IT OFFICE OR RETAIL, AND THAT'S UNFORTUNATELY THAT'S A SITUATION WITH ALL THESE LOTS AS YOU LOOK DOWN TOMANET, WHAT DUC IS EXPERIENCING IS PROBABLY BEING EXPERIENCED BY EVERYONE ON THAT SIDE OF THE STREET.

MAYOR WYNN: RIGHT. COUNCIL MEMBER MORRISON?

MORRISON: I WANT TO INVESTIGATE THE COMPATIBILITY STANDARDS AND THE FACT THAT THEY DON'T APPLY HERE, BUT IT LOOKS LIKE THE H.E.B. HAD A SITE PLAN, PERHAPS, IN '85? IS THAT WHAT THAT '85 149 WOULD SHOW?

GUERNSEY: IN 1985, CASE C14 2009 0005 WAS A NORTH LAMAR STUDY AREA. AND SO IT WAS ABOUT 1984, PROBABLY AT THE END OF '84 OR THE END OF 1985, WE ACTUALLY BROUGHT A LOT OF THIS AREA INTO THE CITY OF AUSTIN THAT WAS OUTSIDE OUR CITY LIMITS, AND THAT WAS THE NORTH LAMAR STUDY WAS KIND OF A PRECURSOR TO OUR NEIGHBORHOOD PLANS. WE'D LOOK AT DOING LARGE ZONING STUDIES FOR THESE AREAS, AND WE WOULD ZONE TYPICALLY BASED ON THE USES, LOT SIZE, THE CHARACTERISTICS OF THAT AREA. SO DUC'S NEIGHBORHOOD AS WELL AS PROBABLY THE COMMERCIAL USES THAT YOU MIGHT SEE NEARBY THAT DO NOT HAVE C O'S WERE PROBABLY APPLIED THE ZONING CATEGORY THAT FIT THOSE USES AT THE TIME.

SO WHEN WE BROUGHT IT INTO THE CITY THE H.E.B. WAS THERE AND THE SINGLE FAMILY RESIDENCES WERE ALL THERE ALSO?

GUERNSEY: I WOULD HAVE TO GO INVESTIGATE. I'M PRETTY SURE THAT PROBABLY THE SINGLE FAMILY USES WERE THERE. I'M NOT SURE EXACTLY IF ALL THE RETAIL USES WERE IF YOU LOOK AT THE COMMERCIAL, SOME OF THOSE HAVE SITE PLAN NUMBERS THAT REFLECT 98, KIND OF AT THE CORNER OF THE PROPERTY OR CORNER OF PARMER AND MOPAC. SO THAT TELLS ME A LOT OF THOSE PORTIONS OF THE TRACT WERE DEVELOPED WITH SITE PLANS, PROBABLY THOSE FOR COMMERCIAL USES IN THE '90S. THEY MUST HAVE BEEN SUBJECT TO COMPATIBILITY BUT THOSE PROBABLY FURTHER AWAY FROM THE

RESIDENTIAL. AND AS YOU GO FURTHER TO THE SOUTH THERE'S A CASE NUMBER THAT'S IF YOU LOOK A LITTLE FURTHER SOUTH OF THAT IT HAS AN R 83337. THAT WOULD HAVE BEEN A CONDITION OF ZONING SITE PLAN, AND '83, WE DID NOT HAVE COMPATIBILITY STANDARDS YET. COMPATIBILITY STANDARDS DIDN'T OCCUR UNTIL 1995 1985, JANUARY OF 1985, FOR ALL PRACTICAL PURPOSES, ALTHOUGH THEY WERE PUT IN PLACE IN MARCH OF '84, AND THEY DID APPLY TO SOME TRACTS, BUT AN '83 TRACT '83 SITE PLAN WOULD NOT BE SUBJECT TO IT.

MORRISON: AND ONE OF THE THINGS THAT I BELIEVE CAPACITY COMPATIBILITY STANDARDS ADDRESS IS DUMPSTER PLACEMENT.

DUMPSTER WOULD HAVE TO BE AT LEAST 20 FEET OFF A PROPERTY LINE, AWAY FROM A RESIDENCE.

MORRISON: AND YOU CAN'T IS DUMPSTER PLACEMENT ACTUALLY SHOWN ON A SITE PLAN?

GUERNSEY: IT IS, IF IT IS A LARGER DUMPSTER, NOT JUST SOMETHING YOU'D ROLL OUT TO THE CURVE, THOSE ARE SHOWN ON THE SITE PLAN.

MORRISON: BECAUSE I WAS JUST TRYING TO THINK IF THERE WAS SOME WAY TO TRY TO HELP TO MITIGATE THE IMPACT, JUST BY H.E.B. WANTING TO BE A GOOD NEIGHBOR, FOR INSTANCE, AND I DON'T KNOW IF THERE'S BEEN ANY INTERACTION BETWEEN THE NEIGHBORHOOD AND H.E.B. HAVE YOU HAVE YOU ALL EVER GONE TO H.E.B. TO TALK TO THEM ABOUT THE TIMES AND OF DELIVERY AND DUMPSTER EMPTYING OR ANYTHING LIKE THAT? BECAUSE I KNOW THAT, YOU KNOW, BIG BUSINESS, THEY'VE GOT THEIR ROUTINES, BUT SOMETIMES THERE ARE THINGS THAT ARE ADJUSTABLE AND, YOU KNOW, THAT BUSINESSES ARE WILLING TO DO THAT, BECAUSE, YOU KNOW, OBVIOUSLY I HAVE CONCERN, I THINK IT'S BEING EXPRESSED HERE, THAT IT'S ALL OF THESE PEOPLE THAT LIVE ALONG HERE. SO LAND USE PLANNING WOULDN'T REALLY SUGGEST TURNING THIS, NECESSARILY, INTO COMMERCIAL. ONE MORE QUESTION, MR. GUERNSEY. THE I THINK IN BACKUP THERE WERE SOME NEIGHBORS THAT WROTE IN, AND I JUST WANT TO KNOW IF YOU COULD CONFIRM, I THINK I SAW SEVEN THAT WERE IN OPPOSITION AND ONE THAT SUPPORTED

GUERNSEY: THERE ARE SOME COMMENTS THAT HAVE BEEN SENT IN BY ADJACENT PROPERTY OWNERS, AND SIX WERE OPPOSED AND ONE WAS IN FAVOR, AND THE ONE IN FAVOR WAS ON GILLWAY. MOST OF THE OTHER LOOK LIKE THEY'RE ON TOMANET OR GILLWAY.

MORRISON: BECAUSE WHAT I WAS READING IN THEIR COMMENTS, THE ONES THAT WERE OPPOSED TO IT, THEY ARE INTERESTED IN THIS REMAINING A RESIDENTIAL AREA.

GUERNSEY: YES.

MORRISON: SO I OKAY. DID YOU HAVE SOME QUESTIONS, RANDY? BECAUSE I WAS MAYBE GOING TO

MAYOR WYNN: COUNCIL MEMBER SHADE?

SHADE: I WAS GOING TO SAY ON THE NEIGHBORHOOD COMMENTS IT SOUNDED LIKE THERE WERE OTHER NO CASES COMING. IS THAT SOMETHING YOU CAN CONFIRM?

GUERNSEY: I'M NOT AWARE OF A PENDING NO CASE THAT'S NEARBY. COUNCIL HAS HAD QUITE A FEW UP ZONING CASES FOR THOSE BUSINESSES THAT ARE ALONG PARMER LANE, AND THEY HAVE COME IN THROUGH THE '90S, FOR THE MOST PART, AND A LOT OF THOSE PROPERTIES HAVE BEEN UP ZONED. BUT I DON'T BELIEVE WE'VE HAD A REQUEST THAT'S FURTHER SOUTH FROM THIS LOT, GOING SOUTH.

SHADE: OKAY. AND THEN THE OTHER QUESTION IS ABOUT DEED RESTRICTIONS ON THIS.

GUERNSEY: THAT I DON'T KNOW. DUC MIGHT BE ABLE TO ADDRESS THAT, IF THERE'S ANY DEED RESTRICTIONS ON THE PROPERTY.

[INAUDIBLE] I THINK MY NEIGHBOR [INAUDIBLE]

SHADE: I'M SORRY, I COULDN'T HEAR YOU BECAUSE OF THE

GUERNSEY: THE NEIGHBOR THAT'S TO THE NORTH NEIGHBORHOOD TO THE NORTH, THOSE LOTS THAT ARE DEVELOPED WITH DAY CARE AND OFFICE, I THINK WHAT HE'S EXPLAINING IS IF HE SAW THAT THOSE PROPERTIES WERE ALREADY DEVELOPED, NOT IN ACCORDANCE WITH SINGLE FAMILY RESIDENTIAL TYPE USES, ALTHOUGH THEY'RE ALREADY ZONED NO, AND I GUESS THERE HASN'T BEEN ANY OBJECTION OR COMPLAINTS REGARDING THOSE PROPERTIES.

MORRISON: ONE MORE QUESTION.

MAYOR WYNN: COUNCIL MEMBER MORRISON?

MORRISON: IS THERE A WAY THAT IT'S BEEN SUGGESTED THAT THERE IS A DEED RESTRICTION ON THIS PROPERTY. IS THERE A WAY THAT WE COULD FIND OUT?

GUERNSEY: WE COULD IF THERE'S SOMEBODY IN HERE IF THERE'S A PHONE NUMBER WE COULD CONTACT THEM. ALSO, I'M SURE DUC COULD RESEARCH HIS OWN DEED RECORDS AND SEE IF THERE'S ANY RESTRICTIONS.

MORRISON: PERHAPS SOMEONE MIGHT KNOW IF IT CAME UP AT ZAP.

MAYOR WYNN: IF YOU HAVE SOME INFORMATION, PLEASE APPROACH.

[INDISCERNIBLE] SIMPSON. I'M THE NEIGHBOR THAT'S ACROSS THE STREET FROM

MAYOR WYNN: YES, SIR. WHY DON'T YOU STEP FORWARD SO WE CAN HEAR YOU.

AND YOUR QUESTION WAS WHAT, MA'AM?

MORRISON: IS THERE A DEED RESTRICTION ON THIS PROPERTY, THE SINGLE FAMILY PROPERTY, ON THE WEST SIDE OF THE STREET?

IS THERE AN EASEMENT?

MORRISON: A DEED RESTRICTION THAT LIMITS IT TO RESIDENTIAL ONLY OR ANYTHING ELSE?

I'M NOT SURE ABOUT THAT. ON HIS SIDE OF THE STREET?

MORRISON: UH HUH.

WELL, I USED TO OWN THOSE THREE LOTS UP FRONT ON THAT HIS AND THE TWO THAT ARE FORWARD, AND THERE WAS NO THERE IS AN ELECTRICAL 15 FEET EASEMENT THAT'S ON THE NORTH SIDE OF HIS PROPERTY.

MORRISON: AND A DEED RESTRICTION IS SOMETHING OF COURSE IS A LITTLE BIT DIFFERENT. IT'S JUST A PRIVATE

YES, MA'AM.

MORRISON: CONSTRAINT.

I'M TALKING FROM '75. THAT PROPERTY WAS THE TWO PARCELS UP FRONT WAS DEED RESTRICTED TO COMMERCIAL USE. THEY HAD A HOUSE BUILT ON THEM, BUT AND HIS WAS DEED RESTRICTED TO RESIDENTIAL SINGLE FAMILY.

MORRISON: OKAY. SO IS THAT DEED RESTRICTION STILL IN PLACE?

IS WHAT?

MORRISON: YOU SAY THAT THERE IS A DEED RESTRICTION, WE THINK, ON THE PROPERTY WE'RE TALKING ABOUT, NOT ZONING BUT A DEED RESTRICTION?

OKAY.

MORRISON: DID YOU SAY YOU THINK THERE IS A DEED RESTRICTION ON IT?

YES, MA'AM, THERE IS.

MORRISON: AND IT SAYS IT CAN ONLY BE RESIDENTIAL.

UP FRONT, DEED RESTRICTED, AND HIS WAS DEED RESTRICTED TO THE TO RESIDENTIAL, SINGLE FAMILY 1.

MORRISON: THAT'S HELPFUL. I APPRECIATE THAT, BECAUSE IF WE WERE TO UP ZONE IT, IT WOULD THEN BE ZONED TO BE USED IN A WAY THAT IT'S NOT REALLY ALLOWED TO BE ZONED.

I CAN SPEAK FOR HIM, THAT IT IS A PROBLEM, BECAUSE I USED THAT PROPERTY WHERE HE LIVES NOW AS A RENTAL PROPERTY, AND ONE OF MY TENANTS GOT OUT AND CHUNKED ROCKS AT THE DUMPSTER AT NIGHT BECAUSE THEY'D COME IN THERE AND WAKE THEM UP. AND IT'S IT IS A PROBLEM, BUT I DON'T KNOW HOW TO FIX IT. AND H.E.B. CAME IN, LIKE I SAID, '85, AND IT'S IT IS NOISY. AND I DON'T KNOW HOW TO FIX THAT.

MORRISON: OKAY. WELL, WHAT I WAS GOING TO SUGGEST IS A COUPLE THINGS. ONE, I THINK IT WOULD BE GREAT IF WE COULD HELP THE NEIGHBORS HAVE A CONVERSATION WITH H.E.B., BECAUSE THIS IS AFFECTING A LOT OF PEOPLE, AND MAYBE THAT WILL BE A GREAT THING THAT YOUR NEW EMPLOYEES, THE NEIGHBORHOOD ADVISERS, COULD WORK ON, MR. GUERNSEY.

GUERNSEY: WE CAN CERTAINLY CONTACT THE MANAGER OF H.E.B. FACILITY, AND SEE WHAT THEY COULD POSSIBLY DO TO TAKE CARE OF LIGHTING AND ALTER THE HOURS OF THEIR WASTE PICKUP OR TRASH COMPACTORS. A LOT OF THEM HAVE TRASH COMPACTORS.

I WOULD ALSO LIKE TO MOVE THAT WE ACCEPT PLANNING COMMISSION OR STAFF RECOMMENDATION PLANNING COMMISSION OR STAFF RECOMMENDATION TO DENY THE ZONING. I THINK IT'S ESPECIALLY BECAUSE IT'S DEED RESTRICTED, BUT ALSO IT'S JUST IN TERMS OF LAND USE I DON'T BELIEVE IT'S THE RIGHT THING TO BE DOING. SO THAT'S THE MOTION.

MAYOR WYNN: MOTION BY COUNCIL MEMBER MORRISON TO CLOSE THE PUBLIC HEARING AND APPROVE ZONING AND PLANNING COMMISSION RECOMMENDATION OF DENIAL, SECONDED BY COUNCIL MEMBER SHADE. COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: I'VE GOT A QUESTION FOR MR. GUERNSEY. IT SEEMS LIKE I REMEMBER NOT

TOO LONG AGO WE HAD THIS DISCUSSION ABOUT A DEED RESTRICTION, AND YOU MENTIONED YOUR DEPARTMENT WAS RECOMMENDING AGAINST THE UP ZONING BECAUSE OF A COUNCIL RESOLUTION THAT SAID THAT THE COUNCIL WOULD NOT APPROVE UP ZONINGS WHEN THERE WAS A DEED RESTRICTION.

GUERNSEY: THAT'S CORRECT.

LEFFINGWELL: AND NOW IN THIS CASE WE DIDN'T KNOW THERE WAS A DEED RESTRICTION.

GUERNSEY: AND WE WERE STILL RECOMMENDING DENIAL GIVEN LOCATION OF THE

LEFFINGWELL: SO I GUESS IT'S A MORE GENERAL QUESTION. HOW DO WE NORMALLY KNOW IF THERE'S A DEED RESTRICTION. OTHERWISE THE RESOLUTION IS KIND OF MEANINGLESS, ISN'T IT? IF WE HAPPEN TO FIND OUT?

GUERNSEY: NO, SOMETIMES WE'D HAVE NEIGHBORS THAT BRING US COPIES OF THEIR DEED RESTRICTIONS. I DON'T HAVE ANY WITHIN MY DEPARTMENT, KIND OF LIKE A TITLE COMPANY THAT CAN

LEFFINGWELL: WELL, WE NEVER WE NEVER TAKE THE WE NEVER DO THAT RESEARCH OURSELVES.

GUERNSEY: NO, WE DON'T DO THE RESEARCH OURSELVES, BUT THERE ARE TIMES WHEN WE HAVE OTHER CASES WITHIN SOME SUBDIVISIONS THAT IT'S BROUGHT FORWARD THAT THERE ARE DEED RESTRICTIONS SO WE BECOME AWARE OF THEM BY THOSE CASES. SOMETIMES IT WILL HAVE RECORDS FROM PROPERTY OWNERS THAT ARE DOING REMODELING OR THINGS LIKE THAT THAT THEY MAY ACTUALLY DIVULGE THAT THEY HAVE DEED RESTRICTIONS ON THEIR PROPERTY BY VIRTUE OF GETTING A SINGLE FAMILY BUILDING PERMIT OR GETTING A REMODELING PERMIT. THAT SELDOM HAPPENS, BUT THOSE ARE THE WAYS THAT WE OBTAIN THEM.

LEFFINGWELL: UNDERSTAND, I'M NOT I'M NOT TRYING TO BE CRITICAL, BECAUSE I KNOW YOU CAN'T DO A TITLE SEARCH ON EVERY ZONING CASE THAT COMES DOWN. I WAS JUST TRYING TO BRING THAT OUT AND SEE.

GUERNSEY: AND THE LAST THING THAT WE DO HAVE IS WHEN THEY FILE A CASE, IT THERE ARE NO DEED RESTRICTIONS, THE OWNER ACTUALLY SIGNS A DOCUMENT SAYING THAT THEY WILL PROVIDE THOSE IF WE'RE MADE AWARE OR IF THEY'RE AWARE OF ANY OF THOSE THINGS. SO....

MAYOR WYNN: WE HAVE A MOTION AND A SECOND ON THE TABLE TO DENY THE ZONING CASE, ITEM 72. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY

AYE.

AYE.

MAYOR WYNN: OPPOSED? MOTION TO DENY PASSES ON A VOTE OF 6 0 WITH THE MAYOR PRO TEM OFF THE DAIS.

MAYOR?

COUNCIL MEMBER MARTINEZ?

MARTINEZ: I THINK IT WAS A MOTION TO ADOPT THE ZONING AND PLATTING YOU SAID TO DENY, AND IT'S ACTUALLY TO ADOPT THE RECOMMENDATION OF STAFF AND ZONING AND PLATTING.

MAYOR WYNN: WHICH WAS TO DENY, I BELIEVE, RIGHT? ALL RIGHT.

GUERNSEY: AND THAT CONCLUDES THE ZONING WE HAVE THIS EVENING.

MAYOR WYNN: THANK YOU, MR. GUERNSEY. SO, COUNCIL, I GUESS THAT LEAVES US, THEN, WITH OUR PUBLIC HEARINGS FOR THE EVENING. THE FIRST OF WHICH IS TO CONDUCT A PUBLIC HEARING REGARDING A PROPOSAL FROM TEXAS GAS SERVICE TO INCREASE CUSTOMER GAS RATES. RON DELLA WELCOME.

I'M RONDELLA HAWKINS WITH THE OFFICE OF TELECOMMUNICATIONS AND REGULATORY AFFAIRS. WE'RE CONDUCTING A PUBLIC HEARING ON TEXAS GAS SERVICES INCREASE CUSTOMER GAS RATES. AND AS A REMINDER, ON MARCH THE 12TH OF THIS YEAR, THE CITY SUSPENDED THE EFFECTIVE DATE OF TGS'S PROPOSED RATE INCREASE FOR 90 DAYS, UNTIL JUNE 16, AS ALLOWED UNDER THE TEXAS UTILITIES CODE IN ORDER TO GATHER AND ANALYZE INFORMATION FROM TGS ON THE PROPOSED RATE TARIFF. ALTHOUGH THE UTILITIES CODE ALLOWS A 90 DAY SUSPENSION, IT ALSO REQUIRES A PUBLIC HEARING WITHIN 30 DAYS OF THE PROPOSED EFFECTIVE DATE OF THE INCREASE TO DETERMINE THE PROPRIETY. THE CITY IS CONDUCTING TONIGHT'S PUBLIC HEARING, AND IN ADDITION ARTICLE 11, SECTION 6 OF OUR CHARTER REQUIRES CITY COUNCIL TO HOLD A HEARING ON ANY FRANCHISEES' PROPOSED RATE INCREASE. SO FOR THE BENEFIT OF THE PUBLIC I'D LIKE TO GIVE A BRIEF OVERVIEW OF THE PROPOSED RATE FILING THAT WAS MADE BY TGS WITH THE CITY AND OTHER CITIES IN THE CENTRAL TEXAS SERVICE AREA, TO INCREASE RATES BY \$3,563,868, OR APPROXIMATELY EXCUSE ME, 2 1/2%, AND BASED ON COMPANY PROVIDED INFORMATION, TGS'S PROPOSAL WOULD RESULT IN AN AVERAGE MONTHLY INCREASE TO THE BAIT RATES PER CUSTOMER FOR APPROXIMATELY 180,000 CUSTOMERS WITHIN THE CITY OF AUSTIN AS FOLLOWS. RESIDENTIAL, \$1.43 OR APPROXIMATELY 3.3% INCREASE. COMMERCIAL, \$3.58, OR APPROXIMATELY 2.2% INCREASE. INDUSTRIAL CUSTOMERS, \$32.98, OR APPROXIMATELY 2.6%. AND IN ADDITION TO THE TO THE INCREASE,

TGS HAS PROPOSED MULTIPLE NEW RATE ADJUSTMENT CLAUSES. A NEW RATE DESIGN, AND CHANGES TO THE RULES OF SERVICE TO REFLECT NEW OR INCREASED SERVICE CHARGES. AND DUE TO THE ONGOING REQUEST FOR RATE INFORMATION FROM TGS AND ANALYSIS OF THAT INFORMATION BY CITY STAFF AND OUR OUTSIDE RATE CONSULTANTS, WE'RE NOT PREPARED TO PROVIDE CONCLUSIONS OR RECOMMENDATIONS REGARDING THE EFFECT OF THE PROPOSED TARIFFS. THEREFORE, IN ACCORDANCE WITH SECTIONS 2 5 42 AND 2 5 43 OF THE CITY CODE, AT THE CONCLUSION OF TODAY'S PRESENTATIONS BY STAFF, AND WE ALSO HAVE TGS REPRESENTATIVES AND ANY INTERESTED PARTIES, STAFF RECOMMENDS THAT COUNCIL CONTINUE THIS HEARING TO ANOTHER DATE ON OR BEFORE THE JUNE 11 COUNCIL SESSION. AND AT THAT TIME STAFF WILL PRESENT ITS RECOMMENDATION TO COUNCIL TO EITHER ADOPT THE RATE TARIFF AS PROPOSED BY TGS, ADOPT A MODIFIED RATE TARIFF OR DENY THE RATE REQUEST. SO NO ACTION IS REQUIRED AT THIS TIME. THIS CONCLUDES MY PRESENTATION AND THERE ARE REPRESENTATIVES FROM TEXAS GAS IN ATTENDANCE THAT WOULD LIKE TO MAKE A FEW COMMENTS.

MAYOR WYNN: THANK YOU, RONDELLA. QUESTIONS OF STAFF, COUNCIL? IF NOT, WE'D LIKE TO HEAR FROM MR. LARRY GRAHAM OF TEXAS GAS SERVICE.

THANK YOU. GOOD EVENING. HELLO, I'M LARRY GRAHAM, TEXAS GAS SERVICE. WE WANTED TO SPEND JUST A COUPLE MINUTES TO REVIEW A FEW THINGS WITH YOU, AND WE'RE GOING TO DO THIS QUICKLY, SO HOPEFULLY WE CAN GET OUT AND WATCH A LITTLE BASKETBALL TONIGHT. WE WANTED TO JUST REMIND YOU ABOUT A FEW THINGS. THIS PROCESS IS A LITTLE UNFAMILIAR TO SOME PEOPLE, AND THAT'S BECAUSE WE HAVE NOT HAD A RATE INCREASE SINCE 1993, SO IT'S BEEN 16, ALMOST 17 YEARS SINCE WE'VE HAD A RATE INCREASE. SINCE THAT TIME WE'VE INVESTED ABOUT \$130 MILLION INTO OUR SYSTEM, AND REALLY, WHAT WE'RE DOING, WE'RE COMING BACK TO THE CITY AND ASKING FOR THE OPPORTUNITY TO EARN A RETURN ON OUR INVESTMENT IN THE CITY. ONE OF THE REASONS THAT IT'S BEEN SO LONG SINCE WE'VE ASKED FOR A RATE INCREASE IS WE'VE KEPT OUR OPERATING EXPENSES LOW, WE'VE KEPT THEM TO ABOUT 2.1% ANNUALLY. THAT'S THE INCREASE. BUT LIKE OTHER BUSINESSES, WE HAVE HAD HIGHER EXPENSES, HEALTH CARE, LABOR, SOME OTHER THINGS, BUT WHILE WE'VE BEEN A KIND OF A LEAN PROVIDER, WE THINK WE'VE HAD GOOD CUSTOMER SERVICE AND WE'VE BEEN A REALLY GOOD OPERATOR. WE DID RECEIVE AN AWARD A COUPLE YEARS AGO FROM JD POWER, HIGHEST IN BUSINESS CUSTOMER SERVICE. WE GOT SOME RECOGNITION FROM SOUTHERN GAS ASSOCIATION FOR EMERGENCY RESPONSE, AND WE THINK WE'VE BEEN A GOOD MEMBER OF THE COMMUNITY. ONE THING THAT WE DO THAT'S DIFFERENT THAN A LOT OF OTHER NATURAL GAS UTILITIES IS THAT WE HAVE A CONSERVATION PROGRAM THAT I THINK YOU ALL ARE AWARE OF, AND WE KIND OF CONSIDER OURSELVES A PARTNER WITH AUSTIN ENERGY AND THE WATER UTILITY. A COUPLE YEARS AGO WE HAD AN AUDIT, AND WE WERE ASKED TO DO MORE WITH OUR CONSERVATION PROGRAM, AND SO WE'VE ADDED SOME NEW REBATES FOR ATTIC INSULATION AND CEILING. WE DO THAT WITH AUSTIN ENERGY. THOSE ARE THE KINDS OF THINGS THAT HELP BOTH ELECTRIC CUSTOMERS AND

GAS CUSTOMERS. LAST YEAR WE ISSUED OVER A MILLION DOLLARS IN REBATE TO OUR CUSTOMERS WHICH WAS A NIGHT INCREASE FROM THE YEAR BEFORE AND I THINK 6,000 CUSTOMERS IN AUSTIN RECEIVED REBATES FROM US LAST YEAR. WE ALSO WANT TO TAKE A MINUTE AND REMIND YOU THAT WE ARE A GOOD CORPORATE CITIZEN HERE IN AUSTIN. WE WANT TO PAT OURSELVES ON THE BACK HERE. WE ARE INVOLVED IN THE COMMUNITY. WE DO A LOT OF VOLUNTEER PROJECTS. I WAS OUT AT THE PARK A COUPLE WEEKS AGO. WE DO A LOT OF DIFFERENT THINGS. WE HAVE EMPLOYEES THAT SERVE ON A NUMBER OF LOCAL BOARDS. ONE THING, IN THE SIX YEARS THAT WE'VE BEEN PART OF THE ONE OAK CORPORATION, OUR CORPORATE FOUNDATION IN TULSA HAS ENABLED US TO KIND OF FUNNEL GRANTS FROM THAT FOUNDATION TO A NUMBER OF NON PROFITS HERE, AND IN ADDITION THE UNITED WAY, AND WE FUNNELED OVER A MILLION DOLLARS FROM OUR CORPORATE FOUNDATION HERE. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS.] ACCORDING TO THEM, IT'S OUR SISTER UTILITY IN EL PASO THAT HAS THE LOWEST BILL OVERALL. WE THINK WE'RE A GOOD VALUE. ANOTHER THING TO NOTE IS THAT I THINK THERE ARE FOUR OR FIVE THOUSAND CUSTOMERS OF ATMOS ENERGY, NATURAL GAS UTILITY, INSIDE THE CITY LIMITS OF AUSTIN AND OUR RATES ARE CURRENTLY LOWER THAN THEIRS AND EVEN AFTER THE INCREASE WE WOULD BE LOWER THAN THE RATES. THIS IS MY BILL. I'M A CUSTOMER. I LIVE IN CENTRAL AUSTIN. THIS SHOWS, YOU KNOW, THREE YEARS OF USAGE. THE SPIKES ARE OBVIOUSLY THE WINTER, AND AGAIN IF YOU CAN SEE THE BLUE, THAT'S WHAT THE BILLS THAT'S WHAT I WOULD HAVE PAID UNDER THESE RATES. SO IT SHOWS A MODEST INCREASE. SOMETHING ELSE IS THAT THE THE MAJORITY OF THE BILL IS THE COST OF THE COMMODITY ITSELF. IT'S A PASS THROUGH FOR US. WHEN YOU LOOK AT THIS THE GREEN REALLY SHOWS WHAT THE COST OF THE COMMODITY IS, THAT THE MAJORITY OF WHAT PEOPLE PAY IN THE BILL IS A PASS THROUGH FOR US. AND ONE OF THE SOME PEOPLE MAY THINK THE TIMING FOR OUR INCREASE MAY NOT BE THE BEST, BUT ONE THING WE WANT TO POINT OUT IS THAT NATURAL GAS PRICES, MUCH LIKE OIL, HAVE COME DOWN QUITE SIGNIFICANTLY THE LAST SIX MONTHS. SO BECAUSE CLOSE TO TWO THIRDS OF A CUSTOMER'S BILL IS FOR THE COMMODITY, CUSTOMERS COULD END UP PAYING LESS FOR THEIR BILLS EACH AFTER THE INCREASE. AND THAT'S IT. WE JUST WANTED TO GO OVER THAT. WE'RE HAPPY TO ANSWER ANY QUESTIONS. AND WE HAVE OTHER STAFF HERE. THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, MR.GRAHAM. QUESTIONS FOR TGS STAFF, COUNCIL? COMMENTS? AGAIN, WE HAVE NO CITIZENS WHO HAVE SIGNED UP TO GIVE US TESTIMONY ON THIS PRESENTATION. THANK YOU, LARRY. SO AGAIN, IF I REMEMBER ENOUGH, STAFF RECOMMENDATION IS TO A CONTINUANCE OF THIS CASE, PUBLIC HEARING. SO TECHNICALLY WE DON'T CLOSE THE PUBLIC HEARING. WE PROBABLY JUST LEAVE IT OPEN AND WAIT FOR STAFF TO REPOST IT EARLY SUMMER?

THAT'S CORRECT, MAYOR. WE LEAVE IT YOU JUST MAKE A MOTION TO CONTINUE THE HEARING INDEFINITELY AND WE'LL SET A HEARING AS WE DO NORMAL HEARINGS ON OR BEFORE JUNE 11th.

Mayor Wynn: GREAT. SO COUNCIL I GUESS I'LL ENTERTAIN THAT MOTION TO CONTINUE THIS PUBLIC HEARING. MOTION BY COUNCILMEMBER LEFFINGWELL, SECONDED BY COUNCILMEMBER SHADE TO INDEFINITELY POSTPONE/CONTINUE THIS PUBLIC HEARING UNTIL FURTHER POSTING BY STAFF. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION TO CONTINUE THIS CASE PASSES WITH A VOTE OF SIX TO ZERO WITH THE MAYOR PRO TEM OFF THE DAIS. COUNCIL, THAT LEAVES US WITH OUR FINAL PUBLIC HEARING, ITEM NUMBER 77 REGARDING SITE PLAN EXTENSION. OH, EXCUSE ME. IT HAS BEEN WITHDRAWN. AH. LET ME CONFIRM THAT. PART OF OUR CONSENT AGENDA OR CHANGES AND CORRECTIONS, ITEM NUMBER 77 HAS BEEN WITHDRAWN. THERE BEING NO MORE BUSINESS BEFORE THE CITY COUNCIL MEETING, WE STAND ADJOURNED. IT IS 8:04 P.M.

End of Council Session Closed Caption Log